United Nations A/53/648

General Assembly

Distr.: General
9 November 1998
English
Original: Spanish

Fifty-third session
Agenda items 20 and 44

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development

Letter dated 9 November 1998 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the letter addressed to you by the President of Mexico, Mr. Ernesto Zedillo, concerning the need to organize an international operation to assist the populations affected by Hurricane Mitch, in accordance with the appeal made by the Presidents of El Salvador, Guatemala, Honduras and Nicaragua (see annex).

I should be grateful if you would have this letter and its annex distributed as a document of the General Assembly.

(Signed) Manuel **Tello**
Permanent Representative

98-34289 (E) 111198 111198

Annex

Letter dated 5 November 1998 from the President of Mexico addressed to the Secretary-General

I have the honour to write to you in support of the appeal made by the Presidents of El Salvador, Guatemala, Honduras and Nicaragua for the immediate organization of a major international operation to assist the populations affected by Hurricane Mitch.

As you know, as it travelled through Central America, Hurricane Mitch left in its wake thousands of dead and millions of victims. Entire cities and villages were flooded with water and mud; entire communities have been left without homes or means of support, without water, food or medical care. Worst of all, perhaps, is the fact that many victims who managed to survive the actual hurricane remain cut off as a result of the massive destruction of roads, bridges and tracks. Entire agricultural areas and production sectors have been devastated, resulting in loss of jobs and production capacity in the flood and commodities sectors.

Past experience of natural phenomena of this kind has shown that unless massive action is undertaken immediately, the affected nations, the region and the whole world will be confronted with a human tragedy of incalculable proportions. I believe it is no exaggeration to say that there is a risk that thousands of families will suffer the ravages of famine and epidemic.

I am sure you will agree that these fellow nations have struggled bravely and resolutely for years to build the foundations of an economy for progress and a democracy for peace and justice.

I have no doubt, therefore, that you will also agree that the international community cannot allow a natural disaster, however terrible, to destroy the hopes that millions of men and women have placed in their own efforts and perseverance.

Those men and women, and their children and their future, hope that the international community will come to their aid promptly, effectively and in a spirit of solidarity.

The people and Government of Mexico have been making, and will continue to make, an extraordinary effort to assist those free and sovereign countries, with which we have the honour to share deep ties of history, culture and friendship.

However, the magnitude of the tragedy confronting El Salvador, Guatemala, Honduras and Nicaragua requires that every nation and every international agency contribute its capacities and human and material resources to assisting them in this emergency and supporting them in the work of reconstruction.

I have every confidence that you will provide all possible support for a major operation to assist the peoples of Central America in dealing with this tragedy. This is a task which we in the international community must all share.

(Signed) Ernesto **Zedillo Ponce de León**
President of Mexico

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/53/649
S/1998/1048
9 November 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 6 November 1998 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 2 November 1998, I have the honour to draw Your Excellency's attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region (FIR) of Nicosia by military aircraft of the Turkish Air Force, recorded on 5 November 1998.

On that day, five military aircraft (four F-4s and one low-velocity aircraft) of the Turkish Air Force entered the northern Nicosia FIR, violating international air traffic regulations. Thereafter, the four F-4s exited towards the Ankara FIR. The low-velocity aircraft violated the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, landing afterwards at the illegal airport of Tymbou in the occupied area of the Republic before returning back to the Ankara FIR on the same day.

As stated in my previous letters, such unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules, and at the same time they are in contravention to the provisions of the Security Council resolutions on Cyprus, in which the Council states that such overflights increase tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey against the sovereignty and territorial integrity of the Republic of Cyprus. The frequency, intensity and large number of aircraft involved in the above, as well as the latest violations, are a further reminder of Turkey's offensive disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

Furthermore, these continuing overflights by the Turkish Air Force, as well as the presence of the Turkish military occupation forces on the island, constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

United Nations A/53/650

General Assembly

Distr.: General
9 November 1998
English
Original: Spanish

Fifty-third session
Agenda item 32
Zone of peace and cooperation of the South Atlantic

Letter dated 4 November 1998 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to request you to arrange to have this letter and the annex thereto, which contains the Final Declaration and Plan of Action adopted at the Fifth Meeting of the Member States of the Zone of Peace and cooperation of the South Atlantic, held in Buenos Aires on 21 and 22 October 1998, circulated as a document of the General Assembly, under agenda item 32.

(*Signed*) Fernando **Petrella**
Ambassador
Permanent Representative

98-34385 (E) 131198 141198

Annex

[Original: English]

Final Declaration

The Representatives of the member States of the Zone of Peace and Cooperation of the South Atlantic (ZPCSA), hereinafter referred to as "The Zone", meeting in the city of Buenos Aires, Argentina, on 21 and 22 October 1998.

1.- Recall the Final Declaration and decisions adopted at the Fourth Meeting of member States of the Zone, Somerset West, Republic of South Africa, on 1 and 2 April 1996.

2.- Congratulate the Presidency and Permanent Committee of the Zone for the valuable work done as coordinators since the meeting at Somerset West.

3.- Reaffirm that issues of peace, security and development are interdependent and inseparable, and that economic cooperation and promotion of trade and investments between the Latin American and African countries of the region constitute important aims of the Zone.

4.- Welcome the restoration of democracy in Sierra Leone and Liberia and in that regard commend the active efforts by the Economic Community of West African States (ECOWAS), and the States which have contributed to the ECOWAS Monitoring Group (ECOMOG).

5.- While welcoming the recent joint mediation efforts of the Community of Portuguese Speaking Countries (CPLP) and ECOWAS aimed at restoring peace in Guinea-Bissau and security in the region, express their deep concern at the re-opening of hostilities in Guinea-Bissau, call on the Government and the so-called Junta to refrain from any action that can jeopardize the cease-fire agreement reached in Praia (Cape Verde) on 26 July,1998 and call upon the Parties to the conflict to cooperate fully with the CPLP and the ECOWAS with a view to moving forward from the cease-fire to a full and lasting settlement.

6- Welcome the Nigerian Government's commitment to carry out the plan for transition to general elections and the establishment of new democratic structures, and welcome the action of the Government in releasing political prisoners as well as the continued progress being made towards full observance of human rights in the country.

7- View with concern the present armed conflict in the Democratic Republic of Congo, stress the need to respect the territorial integrity of the Democratic Republic of Congo, and urge the parties to that conflict and the States that have offered their good offces to bring hostilities to an end and to spare no effort in the negotiations leading to the restoration of peace and welcome the positive response by the Southern African Development Community (SADC) to the request by the Government of the Democratic Republic of Congo to provide assistance in the restoration of peace and stability in that country. Further welcome the decision of the Democratic Republic of Congo to conduct elections in that country in June of 1999.

8- Welcome the positive steps taken by the Government of Angola in implementing the "Lusaka Protocol" and reiterate that the primary cause of the crisis in Angola and of the current impasse in the peace process is the failure by the leadership of UNITA to comply with its obligations under the "Acordos de Paz", the "Lusaka Protocol" and relevant Security Council resolutions and, in this regard; endorse the Final Communique of the Summit of the Heads of State or Government of the Southern African Development Community adopted on Port Louis, Mauritius, on 14 September1998.

9.- Support efforts by countries of the Zone in finding negotiated solutions for conflicts and in promoting the principle of settling disputes by peaceful means.

10.- Reaffirm the need to support current peace processes in the Zone's region and to contribute to United Nations peace-keeping operations taking place in different parts of the Zone.

11.- Reiterate their conviction that the "Treaty of Tlatelolco" and the "Treaty of Pelindaba", together with the "Antarctic Treaty" and the "Treaty of Rarotonga", and the "Bangkok Treaty" contribute to making the southern hemisphere and adjacent areas covered by the aforementioned treaties free of nuclear weapons.

12.- Welcome the adoption of the November 1997 "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials", as well as the decision on the Proliferation of Small Arms and Light Weapons taken at the 34th Summit of Heads of State and Government of the Organization of African Unity held in Burkina Faso during June 1998 and stress the need for greater cooperation among members of the Zone in addressing the proliferation of small arms and light weapons which present a threat to peace and security in the Zone.

13.- Call upon the member States to continue their efforts towards the achievement of appropriate regulation of maritime transport of radioactive and toxic wastes, taking into account the interests of Coastal States, particularly in accordance with the regulations of the International Maritime Organization (IMO) and the International Atomic Energy Agency (IAEA).

14.- Express their satisfaction at the adoption of Resolution A 853/20 of the Twentieth Assembly of the IMO and the contemplated amendments of Chapter VII of the "International Convention for the Safety of Life at Sea" ("SOLAS" Convention) by the Maritime Safety Committee of that Organization.

15.- Agree on the importance of the early entry into force of the "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 concerning Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks", adopted in New York on 4 August 1995.

16.- Stress the need to avoid cases of fishing vessels flying dual flags and emphasize the importance. for States to consider becoming Parties to the 1993 FAO "Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas".

17.- Agree on the importance of redoubling efforts to provide the private sectors of each of the countries of the Zone with information conducive to a growing relationship more beneficial to all parties. In this context, agree to give special attention to promote South South Cooperation, including the fields of science and technology as well as the development of human resources.

18.- Urge the United Nations to promote technical cooperation between developing countries and support the activities pursued by members of the Zone, in keeping with the goals set forth in Resolution 41/11 and related resolutions, so that their projects and programmes may be financed by the United Nations Development Programme and other competent international organizations.

19. Agree on the importance of conservation and proper management of fresh-water resources and, conscious of its social, economic and political importance, undertake to cooperate within the Zone, with the support of the United Nations and other agencies in order to prevent the degradation and loss of these vital resources.

20- Concerned over the increase in drug trafficking and related crimes, including drug abuse, resolve to promote regional cooperation to combat all aspects of the problem of drugs and related offenses and, therefore, call upon the UNDCP to provide assistance to members of the Zone.

21.- Recognize, in the light of the number, magnitude and complexity of natural disasters and other emergencies, the need to strengthen coordination of humanitarian assistance by members of the Zone, so as to ensure timely and effective response.

22.- Express gratitude and appreciation to the Government of Argentina for its generosity and the excellent arrangements made for the holding of this Meeting.

23.- Welcome the offer made by the Government of Benin to host the Sixth Ministerial Meeting of the ZPCSA.

Plan of action

The Representatives of the member States of the Zone of Peace and Cooperation of the South Atlantic (ZPCSA), hereinafter referred to as "The Zone", meeting in the city of Buenos Aires, Argentina, on 21 and 22 October, 1998.

1.- Agree to facilitate intergovernmental exchange of information on trade, agreements in force regarding economic, scientific and technical cooperation, commercial air and maritime services, the promotion and protection of investments, zoo-phytosanitary agreements, public health as well as other related matters.

2.- Call on member States to encourage the business sector to expand and strengthen bilateral and multilateral trade relations between them.

3.- Decide to promote the exchange of information regarding all activities which can contribute to closer ties being established between business enterprises of the countries of the Zone, including trade fairs and commercial missions.

4.- Agree to carry out a review of national and multilateral financial mechanisms which can be used to finance projects in the Zone. In this regard, invite UNCTAD and the World Bank to consider ways and means of helping the members of the Zone to implement the review. Decide also that this information will be provided to the Chair of the Zone who will transmit it to all members.

5.- Urge member States who have not yet done so, to ratify the "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks" adopted in New York on 4 August 1995.

6.- Undertake to cooperate with each other in providing information regarding the registration of fishing vessels in light of the 1993 FAO "Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas".

7.- Decide to continue developing bilateral and multilateral cooperation in the sphere of prevention of drug abuse and combating drug trafficking and related crimes and to promote, in a coordinated fashion, the implementation of the resolutions adopted by the 20th Special Session on the Illicit Production and Traffic of Amphetamine-type Stimulants, Precursors and Chemical Substances, Erradication of Illicit Drug Crops and the Promotion of Alternative Development Programs, as well as the issues of judicial cooperation and money laundering, which was held from 8 to 10 June 1998, in New York, and reaffirm their determination to achieving concrete results on all the Action Plans adopted by the 20th Special Session. Members of the Zone should

exchange information as to their national action to solve drug problems, with a view to benefiting from each other's experiences.

8.- Reiterate the call for the UNDCP to provide practical assistance, through specifc programmes, with the aim of combating drug trafficking, especially by training of officials, enhancing the capacity of countries in the implementation of drug control, legislation and law enforcement. In that regard, the members of the Zone should identify specific needs and concrete proposals for consideration by the UNDCP.

9- Undertake to consider joint initiatives against the illicit manufacturing and trafficking in small arms and light weapons, ammunition, explosives and other related materials.

10- Urge those States who have not yet done so, to sign, ratify and implement the "Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction", ("Ottawa Convention"), and to cooperate in the field of demining.

11.- Consistent with the relevant United Nations resolutions, encourage members of the Zone to identify and support their respective national focal points and cooperate with the "White Helmets Initiative", in order to address humanitarian emergencies and provide the United Nations system with an accessible global network of rapid response facilities on a standby basis.

12.- Agree to initiate contacts between competent national organs and appropriate international organizations dealing with statistics in order to exchange information relevant to the aims of the Zone, conducive to creating a database based in the city of New York.

13.- Agree to promote closer links, better understanding and a sense of community among Zone members through the exchange of comprehensive information about each country, including political, economic, social and cultural aspects.

14- Agree to establish a focal point in each country in order to facilitate coordination between members States and to communicate this information to the Chair.

United Nations A/53/651

General Assembly

Distr.: General
9 November 1998

Original: English

Fifty-third session
Agenda item 135
Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Revised budget estimates for 1998 and proposed requirements for 1999 of the International Tribunal for the Former Yugoslavia

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered advance drafts of the reports of the Secretary-General on the revised estimates for 1998 (A/C.5/53/12) and proposed requirements for 1999 (A/C.5/53/13) of the International Tribunal for the Former Yugoslavia. During its consideration of the reports, the Committee met with the President, the Prosecutor and the Registrar of the International Tribunal and with representatives of the Secretary-General, who provided additional information. The Committee also benefited from information it received during its meetings with members and officials of the Tribunal at The Hague in May 1998 (see A/53/7, para. 16).

2. The resources provided in the assessed budget of the International Tribunal for 1998 include the amount of $68,829,800 gross ($62,331,600 net) appropriated by the General Assembly in its resolution 52/217 of 22 December 1997 and a commitment authority of $2,627,300 gross ($2,443,700 net) approved by the Advisory Committee on 21 May 1998 for activities called for by the Security Council in its resolutions 1160 (1998) and 1166 (1998), regarding operations in Kosovo and the establishment of a third Trial Chamber (A/C.5/53/12, para. 5).

Factors affecting the estimates

3. As indicated in paragraph 4 and table 1 of document A/C.5/53/12, the approved resources for 1998 were augmented by voluntary contributions in kind estimated at $3,961,700 received from Member States towards the third courtroom. Courtroom 2, which

98-34391 (E) 171198

was funded by voluntary contributions received in 1997, became available for trials in May 1998 and courtroom 3 opened in July 1998, some six months earlier than initially anticipated. The Advisory Committee notes from table 1 of document A/C.5/53/12 that, in the light of the availability of voluntary contributions, an equivalent amount of $3,961,700, already appropriated and authorized for 1998 for construction, furniture and equipment, would be redeployed to cover other unforeseen items of expenditure which are required as a result of the early opening of courtroom 3 (A/C.5/53/13, para. 8).

4. As indicated in paragraphs 1 to 6 of document A/C.5/53/12, a number of other new developments have occurred since the preparation of the initial budget for 1998. Further cost increases in the operations of the Tribunal have resulted from increases in the number of detainees. The approved budget for 1998 included provisions for an average of 18 detainees (12 in the first half and 24 in the second half of 1998). As of August 1998, the number of detainees had increased to 27 and the population of the detention centre was anticipated to increase to 36 detainees by year end. More detainees than initially anticipated, the expanded activities in Kosovo and the utilization of courtroom 3 has increased the workload of the Office of the Prosecutor and of corresponding support services in the Registry, leading to expenditure increases in categories such as defence counsel, detention guards and detainee accommodation and related services. The Advisory Committee was informed that the full impact of the expanded activities of the Tribunal, with the establishment of the third Trial Chamber and utilization of courtroom 3, is reflected in the budget proposal for 1999, as discussed below.

5. Recent developments also include the adoption of a number of changes to the Rules of Procedure and Evidence of the Tribunal, including one which allows a Trial Chamber to designate from among its members a judge responsible for the pre-trial proceedings. Accordingly, the pre-trial judge, under the authority and supervision of the Trial Chamber, coordinates communication between the parties during the pre-trial phase in order to ensure that proceedings are not unduly delayed (A/C.5/53/13, para. 15). The Advisory Committee welcomes the introduction of pre-trial court management (see also ibid., para. 22). The Committee trusts that this development will speed up the work of the Tribunal.

Format

6. In the view of the Committee, the format of the presentation of the 1999 budget estimates could be streamlined. The main text of the report should be succinct, avoiding descriptions of information already presented in tables or in the annexes. Narratives should not contain extensive information already available in bulletins or other documents of the Tribunal. The justification for new posts in annex III to the budget document should avoid lengthy and repetitious descriptions of organizational units' responsibilities and structures which have already been described in the main part of the report. The Committee found the narratives in annex III at times inconsistent with the additional information provided to the Committee during the hearings, as well as with the staffing tables provided in the main part of the report.

7. As regards performance indicators, the Advisory Committee believes that they are an essential element in the presentation of the budget estimates and efforts should continue to be made to refine them and to automate, wherever possible, the compilation of relevant performance statistics, making a clear distinction between actual figures, estimates and projections. The Committee was informed that, for the 1999 budget presentation, performance indicators were collected by programme managers of various organizational units; however, there was no indication whether they had been monitored and checked for accuracy and consistency. The Committee recommends that performance indicators be

presented under the relevant units and services of the Tribunal. Furthermore, the Committee requests that the reports on budget estimates and relevant supporting documentation and information material be provided to it well in advance of the hearings with representatives of the Secretariat and of the Tribunal. The reports should be made available in all of the official languages of the United Nations. The Advisory Committee believes that it is essential to have the most up-to-date actual performance results of workload indicators. Experience has shown that too often projected activities are not fully implemented. The Committee has not received actual performance data, for example, for the workload indicators mentioned in paragraphs 22 (d), 25 (a), 26 (a) and (b) and 27 (c) of document A/C.5/53/12, which provide workload projections for the second half of 1998.

II. Revised estimates for 1998

8. As shown in table 1 of document A/C.5/53/12, the 1998 revised estimates amount to $71,408,600 gross ($64,775,300 net), reflecting a resource increase of $2,578,800 gross ($2,443,700 net), or 3.7 per cent gross (3.9 per cent net) over the 1998 appropriations.

9. In paragraphs 35 and 36 of document A/C.5/53/12, the Secretary-General indicates that, on the basis of a review of the 1998 expenditure in the first eight months of 1998 and projections through 31 December 1998, the resource requirements of the Tribunal for 1998 would amount to $68,611,900 gross ($62,201,200 net); accordingly, it is proposed that the General Assembly approve a revised appropriation in these amounts, which represents a reduction in requirements of $217,900 gross ($130,400 net). In the view of the Committee, the presentation of the revised 1998 estimates is somewhat confusing. For example, in its introductory paragraphs, the report does not explain why the request for revised appropriations for 1998 is based on the expenditure trends shown in section III of the report and not on the basis of the revised estimates discussed in section II. Similarly, no explanation is provided as to why, in spite of requesting 75 additional posts in the revised 1998 budget, the expenditure projection at 31 December 1998 for 646 temporary posts (see annex I to the present report) is less than the initial appropriation for 571 posts, as shown in table 1 of document A/C.5/53/12. Upon request, the Advisory Committee was provided with projections by object of expenditure for each organ of the Tribunal for the year 1998 (see annex I to the present report).

10. The revised staffing table for 1998 comprises 646 assessed budget posts (not including 14 judges) and 8 extrabudgetary posts. This represents an increase of 75 assessed budget posts (47 Professional and 28 General Service), as follows: 2 General Service posts for the Chambers, 21 Professional and 6 General Service posts for the Office of the Prosecutor and 26 Professional and 20 General Service posts for the Registry. In addition, as discussed below in paragraph 17, 19 posts are to be funded from general temporary assistance in the Office of the Prosecutor for the equivalent of 3.6 work-months each and 14 posts in the Registry for various services (A/C.5/53/12, paras. 7, 16, 17 (a), 21, 25 (b)). The Advisory Committee was provided with detailed organization charts of each organ of the Tribunal (see annex II to the present report).

11. Annex II to document A/C.5/53/12 shows the budgetary assumptions used to prepare the revised estimates for 1998. With regard to vacancy rates, the Advisory Committee notes that, for continuing temporary posts, new temporary posts already approved for 1998 and those converted from gratis personnel positions, the assumptions used were the same as those used in the initial 1998 estimates, namely a vacancy factor of 8 per cent for continuing Professional posts and one of 5 per cent for continuing General Service posts; 60 per cent

and 50 per cent turnover factor of new temporary posts approved for 1998; and 25 per cent of full annual cost for posts converted from gratis personnel. For new posts, the vacancy rates used were 60 per cent for Professional posts and 50 per cent for General Service posts for the period from 1 July to 31 December 1998.

12. The Advisory Committee was provided with actual post incumbency and vacancy rates for the period from 1 January to 31 December 1998 for each organ of the Tribunal (see annex III to the present report). For the Office of the Prosecutor, 1998 vacancy rates for Professional posts ranged from 33.5 per cent in January to a projected 11.3 per cent in December and, for General Service, from 44.2 in January to a projected 6.9 per cent in December. For the Registry, 1998 vacancy rates for Professional posts ranged from 35.1 per cent in January projected to 11.0 per cent in December and, for General Service posts, from 17.4 per cent to a projected 4.3 per cent. In the Committee's opinion, the combined vacancy situation of the organs of the Tribunal does not support the rates assumed in the revised estimates and there is, therefore, an over-budgeting (but see para. 9 above).

A. The Chambers

13. The revised 1998 resource requirements of the Chambers amount to $3,394,700 gross ($3,329,800 net), reflecting an increase of $230,400 gross ($227,300 net) over the 1998 appropriations.

14. Upon the establishment of the third Trial Chamber called for in Security Council resolution 1166 (1998), with the three additional judges of the Court (who were to assume their functions in October 1998), the Chambers comprise 14 judges (3 judges in each Trial Chamber and 5 in the Appeals Chamber) (A/C.5/53/12, paras. 2 and 10).

15. The Advisory Committee notes that the revised travel estimates for the Chambers have increased sharply from $25,000 in the original estimates for 1998 to $75,000 in the revised estimates for 1998 (ibid., table 3). Upon inquiry, the President informed the Committee that the Tribunal was the subject of hostile propaganda in the region of the former Yugoslavia and other countries. In order to address such extreme propaganda against the Tribunal, the President would have to travel to that region and to other countries to explain the role of the Tribunal to Member States, to international organizations and to the civil society. All other members of the Court would also visit the region of the former Yugoslavia for the same purpose. These travel plans would continue in 1999 (see A/C.5/53/13, para. 33). Detailed travel plans were provided to the Committee (see annex IV to the present report).

16. In this connection, the Advisory Committee is of the opinion that the success of the Tribunal depends not only on how its role is understood by Governments and the public but mainly by how efficiently it adjudicates the cases before it. The expenditure on public relations and information, although valuable, should be monitored and kept to a minimum. Care should also be taken to ensure that such activities do not adversely affect the efficiency of the Trial and Appeals chambers in dealing expeditiously with the cases before them.

B. The Office of the Prosecutor

17. The revised 1998 resource requirements of the Office of the Prosecutor amount to $22,572,800 gross ($19,341,300 net of staff assessment), reflecting an increase of $1,256,500 gross over the 1998 appropriation of $21,316,300 gross. In addition, for 1998, it is estimated that $3,838,000 will be utilized from extrabudgetary resources. For the Office

of the Prosecutor, the Secretary-General requests 305 posts (204 Professional and 101 General Service), including the addition of 27 posts (21 Professional and 6 General Service) (A/C.5/53/12, tables 5 and 6). In addition, as indicated above in paragraph 10, 19 posts are to be funded from general temporary assistance for the equivalent of 3.6 work-months each (3 trial co-counsel, 6 investigators, 4 criminal intelligence analysts and 6 intelligence (language) analysts).

18. Resources requested for 27 additional posts for the Office of the Prosecutor (19 for the Prosecution Division and 8 for the Investigation Division) amount to $457,700 for the additional trial, preparatory and investigation teams in 1998 (ibid., para. 16). The Committee points out that the additional personnel would be augmented by resources requested for general temporary assistance ($457,500) for the same purposes (ibid., para. 17 (a)). Moreover, the Office of the Prosecutor has extrabudgetary resources amounting to $2,439,700 for personnel costs (ibid., table 5 (2)). The Committee raised doubts whether such expertise could be obtained on a short-term basis from funding for general temporary assistance; no information was provided as to how these resources would be assigned in 1998.

19. The Committee understands that the resources for investigation are often redeployed in support of trial and trial preparation activities in the Prosecution Division and that the actual size of these teams varies according to the priorities and requirements of the prosecution. As indicated in paragraph 39 of document A/AC.53/13, in 1998 the Investigation Division was engaged in 10 separate investigations, including Kosovo; however, at the time of the hearings only 3 investigations could be regarded as being fully active, as it has been necessary to suspend temporarily a number of investigations owing, *inter alia*, to the security situation and to the redeployment of resources to the Prosecution Division (see para. 22 below).

20. In order to handle the increased number of trials resulting from the establishment of the third Trial Chamber, it is proposed to establish in the Prosecution Division two additional trial teams (eight Professional and four General Service posts) and one additional trial preparation team (three Professional and two General Service posts). Thus, the Prosecution Division would have in the revised estimates for 1998 nine teams (six trial teams and three trial preparation teams). Each trial team would have four Professional (1 P-5, 2 P-4 and 1 P-2) and two General Service posts and each trial preparation team three Professional (1 P-5, 1 P-4 and 1 P-2) and two General Service posts for a total of 33 Professional and 18 General Service posts (A/C.5/53/12, paras. 12–14). The composition of each of these teams and post levels are shown in annex II to the present report. Annex III to document A/C.5/53/13, paragraphs 2 to 12, describes the responsibility of these posts. The Advisory Committee points out that the work to be carried out can often be interchanged as between the various teams. With flexible management, it will not, therefore, be necessary to automatically add three teams for the third courtroom. The Advisory Committee recommends approval of two additional teams (seven Professional and four General Service posts) in the Prosecution Division of the Office of the Prosecutor in the revised 1998 budget. Thus, the Division would have eight teams in the revised 1998 budget, as compared to six teams in the initial 1998 budget and nine teams requested in the revised estimates. There would thus be a consequent reduction of one team, composed of four Professional (1 P-5, 2 P-4 and 1 P-2) and two General Service posts, from the proposal of the Secretary-General.

21. For the Investigation Division eight additional posts (4 P-3 and 4 P-2) are requested in the revised 1998 budget in order to conduct operations in Kosovo, as mandated by the Security Council in its resolution 1160 (1998). One additional investigation team (4 P-3 and 2 P-2 posts) and two additional P-2 posts in the Military Analysis Team of the

Investigation Division are requested. Thus, the Division would have in the revised estimates for 1998 10 investigation teams. Of the nine existing investigation teams, three teams have 10 Professionals (1 P-4, 4 P-3 and 5 P-2 posts) and six teams have 9 Professionals (1 P-4, 4 P-3 and 4 P-2). The composition of each of these investigation teams and post levels is shown in annex II to the present report. Annex III to document A/C.5/53/13, paragraphs 14 to 28, describes the responsibility of these posts. In view of the existing capacity in the Military Analysis and Leadership Research teams (19 Professionals), the Committee does not recommend approval of two additional P-2 military intelligence analysts posts. The Advisory Committee recommends approval of six (4 P-3 and 2 P-2) of the eight additional posts requested for the Investigation Division in the revised 1998 budget.

22. The Advisory Committee notes from paragraph 19 (a) of document A/C.5/53/12 that approximately 50 additional investigation trips are planned, of which 22 relate to the investigation in Kosovo and 28 to trial case preparation. Upon inquiry, the Advisory Committee was informed that, at the time of the Committee's hearing (13 October 1998), there were only five missions related to Kosovo owing to the security situation. The Committee believes that considerable under-expenditures would result because of the situation in Kosovo.

C. The Registry

23. The revised 1998 resource requirements for the Registry amount to $45,441,100 gross ($42,104,200 net of staff assessment and rental income), reflecting an increase of $1,091,900 gross ($1,055,600 net of staff assessment and other income) over the 1997 appropriation of $44,349,200 gross ($41,048,600 net of staff assessment and other income). In addition, in 1998, a revised estimate of extrabudgetary resources, amounting to $2,387,200, will be administered by the Registry (A/C.5/53/12, table 7).

24. For the Registry, the staffing requirements in the revised budget for 1998 comprise 331 posts (146 Professional, 101 General Service and 84 Security personnel), including 46 additional posts (26 Professional, 7 General Service and 13 Security personnel). In addition, general temporary assistance is requested, amounting to $224,900, for the emoluments of 14 staff in various sections of the Registry (ibid., para. 25 (b)).

25. For the Chambers Legal Support Section of the Registry, four additional legal officer posts (1 P-4 and 3 P-2 posts) are requested in support of the third Trial Chamber. The Committee notes (see annex II to the present report) that, in the revised 1998 estimates, the Chambers Legal Support Section would comprise a total of 22 posts (1 P-5, 4 P-4, 15 P-2 and 2 General Service). For the reasons given in paragraph 32 below, the Committee believes that it has not yet been demonstrated that the total staff complement requested is actually required. Accordingly, the Committee recommends against approval of the four additional legal officer posts (1 P-4 and 3 P-2) requested in the revised estimates for 1998.

26. For other units of the Registry, 42 additional posts (22 Professional and 20 General Service) are requested, as follows: 13 security officer posts for the Security and Safety Section, two posts (1 P-2 and 1 General Service) for the Court Management and Support Section, 25 posts (9 P-4, 12 P-3 and 4 General Service) for the Conference and Language Support Section and two General Service for the Electronic Support and Communications Section (ibid., paras. 22–24). Annex II to the present report shows the staffing proposals for 1998 for the organizational units of the Registry, including post levels and job titles. The Advisory Committee recommends approval of these 42 additional posts for the Registry.

D. Conclusions and recommendations

27. On the basis of its recommendations and observations, as indicated in paragraphs 20, 21 and 25 above, the Advisory Committee recommends that the General Assembly approve the revised appropriation of $68,314,500 gross ($61,941,400 net) for the operations of the International Tribunal for the Former Yugoslavia in 1998. This would represent a reduction in the amount of $297,400 gross ($259,800 net) from the amount of $68,611,900 gross ($62,201,200 net) requested by the Secretary-General in paragraph 36 of his report.

III. Resource requirements for 1999

28. The 1999 estimates amount to $106,385,200 gross ($96,650,900 net), reflecting a resource increase of $37,555,400 gross ($34,319,300 net of staff assessment and other income) over the 1998 initial appropriations. For 1999, extrabudgetary resources are projected to $3,905,000, as compared to $6,225,200 for 1998 (A/C.5/53/13, table 2). The Advisory Committee notes that the estimates are presented using the initial 1998 appropriation as starting point.

29. The staffing table for 1999 comprises 838 assessed budget posts (not including 14 judges) and 10 extrabudgetary posts, reflecting an increase of 267 assessed budget posts (119 Professional and 148 General Service), which include the additional 75 posts requested in the revised budget estimated for 1998. For 1999, as for 1998, the Advisory Committee was provided with detailed organizational charts of each organ of the Tribunal (see annex II to the present report). Upon inquiry, the Advisory Committee was informed that there are still 13 gratis personnel working in the Tribunal, who will be phased out by the end of December 1998; all the previous gratis personnel (52 in all) were converted to budget posts in the 1998 budget.

30. For the Office of the Prosecutor, 104 additional posts are requested for 1999 (63 Professional and 41 General Service), including 27 posts requested in the revised 1998 budget. For the Registry, the proposed 171 additional posts for 1999 (56 Professional and 115 General Service) include 46 additional posts requested in the revised 1998 budget and the redeployment of 8 General service posts shown under the Chambers in the 1998 budget. The Advisory Committee was informed that of the 104 additional posts for the Office of the Prosecutor, a total of 13 posts are converted from general temporary assistance as discussed in paragraph 37 below. Six posts have not been converted. The Committee was unable to obtain information as to whether these posts were ever used in 1998. As discussed below, for 1999, the Advisory Committee recommends the approval of 143 additional posts (42 for the Office of the Prosecutor and 101 for the Registry). The Committee recommends against the approval of 35 additional posts in the Office of the Prosecutor and of 14 additional posts in the Registry for 1999.

31. Annex I to document A/C.5/53/13 shows the budgetary assumptions used to prepare the estimates for 1999. With regard to vacancy rates, the Advisory Committee notes that, for continuing temporary posts (571 posts) and the additional temporary posts requested under the revised 1998 estimates (75 posts), the assumptions used were the same as those used in the initial 1998 estimates, namely a vacancy factor of 8 per cent for Professional posts and one of 5 per cent for General Service posts. For new posts in 1999 (192 posts), the vacancy rates used were 60 per cent for Professional posts and 50 per cent for General Service posts. The Committee notes from paragraph 70 of document A/C.5/53/13 that, on

a full-cost basis, the proposed 1999 budget of the Tribunal would amount to $113,220,300 ($102,327,800 net).

32. In the Committee's opinion, the vacancy rates assumption for 1999 should be modified taking into account the Tribunal's actual staffing and incumbency and vacancy rates in 1998 (see para. 12 above). For 1999, as for 1998, the budget request appears to attempt to cover every possible eventuality. No attempt is made to absorb some of the functions and additional workload by effective implementation of productivity measures and economies of scale.

A. The Chambers

33. As shown in table 5 of document A/C.5/53/13, the 1999 resource requirement for the Chambers amounts to $2,381,700, as compared to $3,164,300 for 1998. The overall reduction in requirements ($720,800) for the Chambers reflects the proposal to show eight General Service support staff under the Registry (A/C.5/53/13, para. 30). Legal and secretarial support for the Chambers is budgeted in 1999 under the provisions for the Chambers Legal Section of the Registry. The requirements under the Chambers include the amounts of $2,301,500 for salaries and allowances of the judges, $15,000 for the services of consultants and experts and $65,200 for travel of the President and judges of the Tribunal (ibid., paras. 31–34). The emoluments of the judges will depend upon the action the General Assembly takes on the report of the Secretary-General on the conditions of service of the members of the International Court of Justice (A/C.5/53/11).

34. In 1999, with three courtrooms now available, the Trial Chambers expect to conduct nine trials and six full appeals in respect of the Tribunal's matters plus interlocutory appeals; furthermore, with the completion in 1998 of the first trials by the International Tribunal for Rwanda, at least five full appeals on the merits are expected to be considered by the Appeals Chamber in 1999, in addition to those arising from the Tribunal for the Former Yugoslavia (under the statute of the Tribunal for Rwanda, the Appeals Chamber of the Tribunal for the Former Yugoslavia also serves as the Appeals Chamber for the Tribunal for Rwanda) (A/C.5/53/13, paras. 19–20).

35. The Advisory Committee notes that workload indicators presented under the Chambers are not always consistent with those presented under the Office of the Prosecutor and the Registry. For example, while the Chambers expect to conduct nine trials, the Prosecutor estimates that 10 cases will be prosecuted in 1999 (ibid., para. 44). The Registrar informed the Committee that, on the basis of 200 working days in a year, the full capacity of three courtrooms is 600 courtroom days; however, it has been assumed that 500 courtroom days would be more realistic. The Committee believes that the workload of nine cases and 500 courtroom days assumed for 1999 appears to be ambitious.

B. The Office of the Prosecutor

36. The 1999 resource requirements of the Office of the Prosecutor amount to $33,115,200 gross ($28,392,400 net of staff assessment), reflecting an increase of $11,798,900 gross over the 1998 appropriation of $21,316,300 gross. In addition, for 1999, it is estimated that $2,920,000 will be utilized from extrabudgetary resources.

37. For the Office of the Prosecutor, staffing requirements for 1999 comprise 382 posts (246 Professional and 136 General Service), including the addition of 104 posts (63

Professional and 41 General Service) (ibid., tables 7 and 8). Of the 104 posts requested for 1999, 27 were requested under the revised estimates for 1998 and would start from 1 January 1999. The request of 77 new posts for 1999 would include the conversion of 13 posts from a total of 19 posts covered under the provision for general temporary assistance in the revised budget for 1998. The staffing proposal of the Office of the Prosecutor includes the reclassification of a Senior Intelligence Analyst post from the P-3 to the P-4 level and of an Operations Officer in the Zagreb field office from the P-2 to the P-3 level (see ibid., para. 45 and annex III, paras. 15 and 32).

38. Provision for other staff costs for the Office of the Prosecutor in 1999 amounts to $1,817,000, comprising $72,000 for overtime requirements of General Service personnel and $1,745,000 under general temporary assistance. The latter amount is for indexing of documents seized under search warrant ($940,000), indexing of documents contained in the United Nations Peace Forces (UNPF) archives in Geneva ($141,000), temporary analysts for the Military Analyst Team and Leadership Research Team of the Investigations Division ($664,000) (A/C.5/53/13, para. 46). With respect to military analysis, the Advisory Committee believes that efforts should be made to use the capacity available in the Military Analysis and Leadership Research teams before recourse is had to additional general temporary assistance.

39. As indicated in paragraphs 37 to 39 of document A/C.5/53/13, the Prosecutor intends to have a total of 14 investigations active during 1999, including two arising out of the events in Kosovo. These investigations will be conducted by 10 investigation teams of the Investigation Division, together with 14 advisers from the Investigation Team Legal Advisers Unit of the Prosecution Division (see also annex II to the present report).

40. The Advisory Committee notes from paragraph 39 of document A/C.5/53/13 that, in 1998, the Investigation Division was engaged in 10 separate investigations, including Kosovo; however, in the light of the arrest and voluntary surrender of indicted accused and the need to redeploy investigative resources to the Prosecution Division to prepare cases for trial, only three investigations can be now regarded as being fully active and seven remain partially active. The Committee recalls that the Prosecutor intended to have a total of 12 investigations fully active during 1998, subject to availability of resources (A/C.5/52/4, paras. 5 and 46). The Prosecutor had indicated, during the presentation of the 1998 budget estimates, that because of insufficient investigative resources, as a result of "a shift of resources to support the preparation of prosecutions, only 3 investigations are being fully pursued, 7 are under partial investigation and 12 have been suspended temporarily until further resources are obtained". Furthermore, the Prosecutor had also indicated that it would be necessary to undertake at least another 60 investigations before the Prosecutor could advise the Security Council that the Tribunal's investigative mandate had been completed (A/C.5/52/4, paras. 15 and 16).

41. The Advisory Committee recalls its observations that priority should be given to allocate resources to those areas identified as being of the highest priority, such as prosecution and investigation (A/51/7/Add.7, para. 21). The Committee believes that there has been a pattern of reallocation of resources to activities other than those initially approved for investigation since the inception of the Tribunal. The testimony given to the Committee and additional information received could not explain fully the causes of such diversion. The Committee does not believe that the reason for not being able to meet investigative and prosecution targets is lack of resources. For example, for 1998 the Committee recommended the approval of all the staff proposals for investigation and prosecution requested. In the view of the Committee, the vacancy situation may be a major contributing factor. As shown in annex III to the present report, in 1998, the vacancy rate for the Office of the Prosecutor

peaked at 37.3 per cent for Professionals in July, with an average of 31 per cent for the first nine months of the year, and at 44.2 per cent for General Service in January, with an average of 21.9 per cent through October 1998.

42. The Advisory Committee points out that the delivery of services by personnel authorized in the context of the new expanded mandate (i.e., investigation in Kosovo and the addition of a third Trial Chamber) is yet to be at full capacity. The Committee recognizes that an upsurge in arrests and prosecutions, issues of security in the investigation area (e.g., in Kosovo) and lack of cooperation of the parties concerned can also contribute to a slowdown in investigation. The Committee recommends that the Office of the Prosecutor record all causes for this phenomenon, so that the Prosecutor and the Registrar might be in a better position to determine whether indeed additional staff is required or other management actions would instead be the most appropriate remedy.

43. The Advisory Committee notes that, in latter part of 1998, the Prosecutor has once again restructured the Prosecution Division. This Division now consists of six units: the Office of the Chief of Prosecutions, the Trial Section, the Trial Support Unit, the Co-Counsel Unit, the Team Legal Advisers Unit, and the Legal Advisory Section (see annex II to the present report and A/C.5/53/13, annex III, para. 2).

44. For 1999 the Prosecutor has requested, with regard to the revised estimates for 1998, nine teams in the Prosecution Division (six trial teams and three trial preparation teams). The size of the teams in 1999 are to be expanded by the addition of 12 Professionals (1 P-5, 3 P-4, 7 P-3 and 1 P-2) and 3 General Service posts (see A/C.5/53/13, para. 45). Justification for these additional posts is given in paragraphs 3 to 13 of annex III to document A/C.5/53/13. For the Prosecution Division, for 1999 the Advisory Committee recommends the approval of three additional P-4 co-counsel and three General Service posts and, as indicated in paragraphs 45 to 47 below, against the approval of one P-5, seven P-3 and one P-2 additional post.

45. The Advisory Committee notes that one new P-5 post is requested for a Senior Legal Adviser to head the newly established Co-Counsel and Team Legal Advisers Section, "in order to coordinate work of the Prosecution and ... to improve the dissemination of day-to-day rulings of the Trial Chambers to other trial teams and the lawyers in the investigation teams". The Committee further notes that the Legal Advisory Section is staffed by a P-5 Senior Legal Adviser. The Committee sees no justification for an additional P-5 post and recommends that, as is done for the Rwanda Tribunal (see A/C.5/53/15, annex IV, para. 7), these two sections could be headed by one P-5 Senior Legal Adviser.

46. In paragraph 11 of annex III to document A/C.5/53/13, it is indicated that the proposed additional six P-3 trial co-counsel will meet the current and expected trial preparation needs, allowing the team legal advisers to return to investigation, thereby enabling a number of investigations to be completed and indictments to be prepared. The Advisory Committee believes that this argument is not sufficiently persuasive, since co-counsel advice is also obtained from the Team Legal Adviser Unit (13 P-4 and 1 P-3 legal advisers). The Committee recommends against the approval of this request.

47. The Advisory Committee is of the view that, for the 1999 proposal, as for the 1998 revised estimates, an attempt is being made to cover every eventuality and little effort is made to absorb some of the additional workload and functions. For example, in paragraphs 12 and 13 of annex III to document A/C.5/53/13, a new P-3 post for a legal adviser is requested for the Legal Advisory Section to provide advice to the additional trial teams and a new P-2 post for the Trial Support Unit, as Chief of Unit. The Committee is not convinced that the posts are justified and recommends against their approval.

48. For the Investigation Division, the Prosecutor requests 35 additional posts (28 Professional and 7 General Service) for 1999, as follows: 1 P-4 and 1 P-3 post for the Office of the Chief of Investigations, 3 P-2 posts for the Military Analysis Team, 21 posts (1 P-4 and 20 P-3) for the Criminal Investigation Teams, 1 P-3 post for the field office in Banja Luka and 1 P-3 post for the field office in Sarajevo (see A/53/C.5/13, para. 45). Justification for these additional posts is given in paragraphs 14 to 31 of annex III to document A/C.5/53/13. Taking into account its comments and observations in paragraphs 37 to 47 above, the Advisory Committee recommends approval of 16 additional Professional and 7 additional General Service posts and against the approval of 1 P-4 and 1 P-3 additional posts in the Office of the Chief of Investigations and against 10 additional P-3 posts in the Criminal Investigation Teams and 1 additional P-2 post in the Military Analysis Team.

C. The Registry

49. The 1999 resource requirement for the Registry amounts to $70,888,300 gross ($65,876,800 net of staff assessment and other income), reflecting an increase of $26,539,100 gross ($24,828,200 net of staff assessment and other income) over the 1998 appropriation of $44,349,200 gross ($41,048,600 net of staff assessment and other income). In addition, in 1998 a revised estimate of extrabudgetary resources, amounting to $985,000, will be administered by the Registry, as compared to $2,387,200 in 1998.

50. For the Registry, the staffing requirements in the proposed budget for 1999 comprise 456 posts (176 Professional, 181 General Service and 99 Security personnel), including the addition of 171 posts (56 Professional and 87 General Service and 28 security personnel). For 1999, 10 General Service support posts for the Chambers are shown under the Registry. In addition, the post requirements for 1999 include 10 extrabudgetary posts (1 P-3 and 9 General Service) (A/C.5/53/13, tables 9 and 10). Of the 171 posts requested for 1999, 46 were requested for the Registrar and 2 for the Chambers under the revised estimates for 1998 and would start from 1 January 1999 (see A/C.5/53/12, tables 3 and 9). The 1999 staffing proposal of the Registry thus includes 115 new posts and the reclassification of 16 posts (see A/C.5/53/13, para. 56 and annex III, paras. 55, 62, 68, 73, 79, 81, 86 and 97).

51. The Advisory Committee has no objection to the proposed changes regarding the new sections for finance and human resources. However, it cautions against what now appears to be a tendency to establish further small units, with the attendant grade creep. The Committee notes that 16 reclassifications have been requested for the Registry for 1999, as compared to 9 requested in 1998 (A/C.5/52/4, table 10). The Committee points out that reclassifications should be justified on the basis of a change in the nature of the job, but should not be a means to address other human resources management concerns such as the need to promote incumbents of posts being reclassified.

52. Provision for other staff costs for the Registry in 1999 amounts to $4,957,300 for translation and interpretation ($359,900), verbatim reporting ($1,633,200), field interpretation ($1,176,500), document screening project ($1,235,900) and other temporary assistance, overtime and night differential ($551,800) (A/C.5/53/13, para 57).

53. As regards the document screening project, the Advisory Committee notes that the total provision amounts to $2,175,900, comprising $940,000 under the Office of the Prosecutor (see para. 38 above) and $1,235,900 under the Registry. In the Office of the Prosecutor, 20 indexing clerks would be recruited for 240 work-months to screen 220,000 pages of documents written in the Bosnian/Serbian/Croatian languages. These were seized by the Office under search warrants, with the assistance of troops of the North Atlantic

Treaty Organization (NATO) and the Stabilization Force (SFOR). In the Registry, 52 language assistants, 6 translators and 1 project coordinator would be recruited for approximately 260 work-months, 30 work-months and 5 work-months, respectively, in order to complete the process that would permit the material to be used by investigation and prosecution teams (A/C.5/53/13, paras. 46 (b) (i) and 57 (d)).

54. In this connection, the Advisory Committee notes from paragraph 36 of annex III to document A/C.5/53/13 that it is proposed to create 1 P-2 and 12 General Service posts in the newly established Document Indexing Unit of the Office of the Prosecutor in addition to the 11 existing General Service posts in that Unit. The Committee is not convinced that there is a need to add all 12 General Service positions for this Unit, particularly in the light of the funding requested for general temporary assistance for the document screening project mentioned above. The Committee also sees no justification to request an additional P-2 post to coordinate and supervise the indexing work. The Committee notes from paragraph 38 of annex III that 14 clerks will be responsible for the indexing of documents and other material generated by 14 investigations, including Kosovo, but experience has shown that to date, few of the planned missions have been implemented as envisaged. The Committee recommends against the approval of 13 additional posts (1 P-2 and 12 General Service) for the Document Indexing Unit. In the view of the Committee, the functions to be assigned to new posts requested for 1999 should be accommodated within the current establishment.

55. Paragraph 56 of document A/C.5/53/13 shows the functional distribution of the proposed 115 new posts and 16 reclassifications for the Registry in 1999. The Advisory Committee exchanged views with representatives of the Tribunal on the subject and concluded that, as in the case of the Office of the Prosecutor, an attempt is being made to request posts in direct proportion to the increase of the activities of the Court. In the view of the Committee, the Tribunal's absorptive capacity has not yet been fully explored. In view of the expanded workload of the Tribunal, the Committee recognizes the need for additional support in the Registry, for example, for the Chambers, for security personnel and for various language services. But where a service is already established, it must be demonstrated that additional work has been absorbed to the fullest extent possible and that further absorption will adversely affect the Tribunal's ability to carry out its task.

56. As indicated in paragraph 60 (a) of document A/C.5/53/13, provision for defence counsel in 1999 amounts to $14,200,000, as compared to an appropriation of $7,058,400 for 1998 (A/C.5/52/4, para. 73 (a)). The Committee was informed that expenditure for defence counsel amounted to $7,636,700 as at 31 August 1998. The 1999 estimate is calculated on the basis of an average of 40 indicted persons in detention throughout 1999. During its visit to The Hague, the Committee was informed that, while it was believed that the rate at which the Tribunal compensated assigned counsel was reasonable, the total cost for defence counsel would likely increase very dramatically in the coming years. The Committee trusts that the introduction of pre-trial court management would, at least, mitigate the pace at which these expenses are increasing.

57. The Advisory Committee received no information on the unexpected adjournment of court proceedings. On demands by defendants to change defence counsel, the Committee was informed that 11 detainees have had 16 defence and 7 co-counsel changed. Of these 23 changes, 6 are related to one detainee alone. In view of the cost involved and the potential for delay in commencing trial or trial proceedings, there is a need to monitor and evaluate the factors leading to court adjournments and changes in defence counsel. To this end, the Committee recommends that such information be compiled on a regular basis, including reasons for adjournment.

58. In paragraph 59 (b), a provision $2,496,200 is requested for 1999 to cover travel and allowances of victims and witnesses, witness support persons, dependent children, disabled adults, and accommodation and communication costs for witness assistants. For 1998, $927,700 was requested for the same purpose. For 1999, it is estimated that 900 witnesses would travel to The Hague for the purposes of hearings and trials.

59. In this connection, the Advisory Committee notes that, for the Victims and Witnesses Section, it is proposed to redeploy a P-2 post to the section and establish 17 new posts (3 P-2 and 14 General Service), 9 of which are to replace general temporary assistance funding for witness assistants. Moreover, two P-3 posts are proposed for reclassification (A/C.5/53/13, annex III, para. 73). The Committee recognizes that workload regarding witness management has increased but sees no justification to add 17 new posts to this Section at the current stage. The Committee notes from paragraph 77 of annex III that two administrative assistants would be required per courtroom to meet the expected workload brought by the estimated 900 witnesses. The Committee understands that the introduction of the new procedure of pre-trial court management may affect the number of estimated witnesses. The Committee recommends that the Tribunal should await performance before establishing all 17 new posts in anticipation of receiving 900 witnesses. Accordingly, the Advisory Committee recommends the approval of 10 additional posts (1 P-2 and 9 General Service) at this time; action on the remaining 7 posts (2 P-2 and 5 General Service) should await further developments.

60. With respect to the two reclassifications from P-3 to P-4 for two protection officers (one witness protection officer and one witness support officer), the Advisory Committee is of the view that the justifications given in paragraphs 74 and 79 of annex III are not convincing. The Committee sees no reason to create out of one unit "two separate but coordinated units" in order to justify the reclassification of these two posts. There is no reason why the two units (Witness Protection Unit and Witness Support Unit) cannot be supervised by one head of a single unit.

61. In paragraph 81 of annex III to document A/C.5/53/13, it is proposed to reclassify the post of Archivist from P-2 to the P-3 level and to create an Archive Unit under the supervision of the Deputy Registrar, but independent from the Library. The Committee sees no other justification for the establishment of a separate unit, in this instance, than to enable the reclassification of the Archivist post and, accordingly, recommends against it (see para. 51 above).

62. For the Electronic Support and Communication Support Section, the Committee recalls that, on the basis of the proposal contained in the 1998 budget (A/C.5/52/4, annex IV, paras. 97–98) it recommended approval of 8 Professional (1 P-5, 3 P-3, 4 P-2) and 28 General Service posts, including 3 at the principal level, as well as an additional General Service post funded from extrabudgetary resources. For 1999, it is proposed to establish three new P-2 posts and nine additional General Service posts, as well as to reclassify two posts (1 P-3 to P-4 and 1 P-2 to the P-3 level) (A/C.5/53/13, annex III, paras. 94–96). The Committee notes that nine General Service posts were also requested and approved for 1998. From the information provided, the Committee sees no justification to approve all additional 12 posts. Accordingly, it recommends the approval of one P-2 (Database Administrator) and four General Service posts and against the approval of two P-2 and five General Service posts.

63. The Advisory Committee notes that the expansion of the Tribunal's staff will require additional office space. In paragraph 62 (b) (ii) of document A/C.5/53/13, it is indicated that a provision of $414,200 would be required to cover the cost of approximately 4,000 square metres of additional office space for six months. The estimate is based on the need to provide space to approximately 200 personnel, which includes new posts proposed for

1999 and various interns and other personnel funded under general temporary assistance. Upon request, the Committee was provided with space analysis of and floor plans of the Tribunal. In the light of the reduction in new posts recommended by the Committee for 1999 and the projected vacancies, it recommends that the actual additional office space requirements should continue to be reviewed and adjusted accordingly.

D. Conclusions and recommendations

64. On the basis of the recommendations and observations indicated in paragraphs 44, 48, 54, 59 and 62 above, the Advisory Committee recommends that the General Assembly approve the appropriation of $103,066,300 gross ($93,801,300 net) for the operations of the International Tribunal for the Former Yugoslavia in 1999. This would represent a reduction of $3,318,900 gross ($2,849,600 net) from the estimate of $106,380,000 gross ($96,650,900 net) indicated in paragraph 68 of document A/C.5/53/13. Post reductions recommended by the Committee are summarized as follows:

International Tribunal for the Former Yugoslavia

Summary of post reductions recommended by the ACABQ

Revised 1998 budget

Organizational unit	*Posts*	*Reference paragraph*
Office of the Prosecutor:		
Prosecution Division	4 Professional (1 P-5, 2 P-4 and 1 P-2) and 2 General Service	20
Investigation Division	2 Professional (2 P-2)	21
Chambers, Legal Support Section, Registry	4 Professional (1 P-4 and 3 P-2)	25
Total of 12 posts (10 Professional and 2 General Service) not recommended for approval for 1998.		

Proposed 1999 budget

Organizational unit	*Posts*	*Reference paragraph*
Office of the Prosecutor:		
Prosecution Division	9 Professional (1 P-5, 7 P-3 and 1 P-2)	44
Investigation Division	13 Professional (1 P-4, 11 P-3 and 1 P-2)	48
Document Indexing Unit	1 Professional (1 P-2) and 12 General Service	54
Registry:		
Victims and Witnesses Section	2 Professional (2 P-2) and 5 General Service	59
Electronic and Communications Support Section	2 Professional (2 P-2) and 5 General Service	62
Total of 49 posts (27 Professional and 22 General Service) not recommended for approval for 1999.		

65. In the view of the Advisory Committee, the time has come to have an expert review of the management and organizational structure of each organ of the International Tribunal for the Former Yugoslavia, in particular the Office of the Prosecutor and the Registry. Accordingly, the Committee recommends that the Secretary-General convene a group of independent experts, acting in their individual capacity, to evaluate the operations and functioning of the Tribunal. The group should comprise judges, prosecution, trial and defence experts with sufficient experience in their professions to be able to evaluate a Tribunal of international character. The group should also comprise individuals from the academic community.

66. The evaluation of the Tribunal should encompass all aspects of the functioning of the Tribunal, including the optimum use of investigation personnel, trial and defence attorneys, co-counsel, witnesses and expert witnesses. The organizational structure of the three principal organs of the Tribunal should be assessed and, drawing from the practice of Member States, particular attention should be given to the services provided to indigent defendants and suspects and the long-term question of enforcement of sentences. The experience so far of having a single Prosecutor for both the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda should be assessed.

67. The cost of the evaluation of the Tribunal should be borne by its budget and reported in its performance report. The evaluation report should be submitted to the General Assembly at its fifty-fourth session through the Advisory Committee. A similar recommendation is being made in respect of the International Criminal Tribunal for Rwanda in the related report of the Advisory Committee.

Annex I

Revised 1998 estimates and 1999 proposed budget for the International Tribunal for the Former Yugoslavia

A. Overall totals

Object of Expenditure	1997 Expenditure	1998 Initial Appropriation	1998 Revised (II) commitment authority	1998 Revised (III) Expected	1999 Proposed
Expenditure					
Temporary posts	20,379.4	30,200.7	31,377.7	28,466.9	48,234.7
Other staff costs	1,455.9	3,869.7	5,256.7	4,439.9	6,774.3
Salaries and allowances of judges	1,770.9	2,347.9	2,509.9	2,466.3	2,301.5
Consultants and experts	154.5	279.9	312.3	250.7	441.1
Travel	1,691.5	3,012.8	3,529.1	3,266.3	5,191.8
Contractual services	4,611.4	9,047.0	11,002.8	12,095.7	18,709.4
General operating expenses	4,276.8	6,457.8	6,855.1	6,430.7	8,524.4
Hospitality	2.5	4.0	4.0	5.1	4.0
Supplies & materials	356.9	961.5	1,129.7	1,051.5	1,326.0
Acquisition of equipment	1,415.7	3,638.2	2,971.1	3,988.7	4,139.6
Major construction	277.3	2,950.6	190.6	103.1	1,009.3
Staff assessment	4,214.8	6,059.7	6,269.6	6,047.0	9,729.1
Total Expenditures (gross)	40,607.6	68,829.8	71,408.6	68,611.9	106,385.2
Income					
Staff assessment	4,214.8	6,059.7	6,269.6	6,047.0	9,729.1
Other income	0.0	438.5	363.7	363.7	5.2
Total Requirements (net)	36,392.8	62,331.6	64,775.3	62,201.2	96,650.9

B. The Chambers

Object of Expenditure	1997 Expenditure	1998 Initial Appropriation	1998 Revised (II) commitment authority	1998 Revised (III) Expected	1999 Proposed
Expenditure					
Temporary posts	224.2	308.1	323.4	316.9	0.0
Other staff costs	1.7	364.5	364.5	279.0	0.0
Salaries and allowances of judges	1,770.9	2,347.9	2,509.9	2,466.3	2,301.5
Consultants and experts (incl travel)	0.0	57.0	57.0	21.0	15.0
Travel	13.0	25.0	75.0	61.8	65.2
Staff assessment	52.5	61.8	64.9	67.3	0.0
Total Expenditures (gross)	2,062.3	3,164.3	3,394.7	3,212.3	2,381.7
Income					
Staff assessment	52.5	61.8	64.9	67.3	0.0
Other income					
Total Requirements (net)	2,009.8	3,102.5	3,329.8	3,145.0	2,381.7

C. Office of the Prosecutor

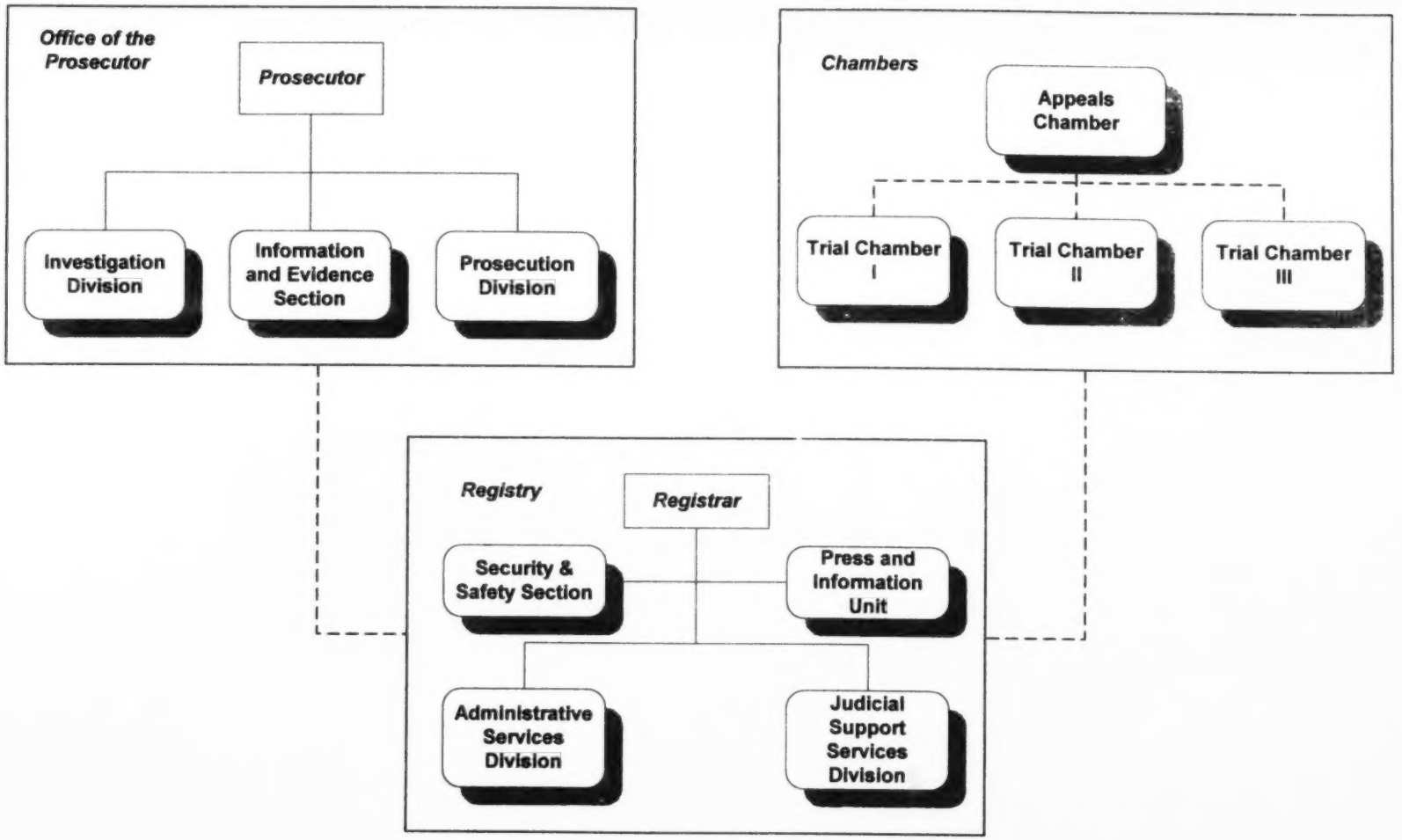
Object of Expenditure	1997 Expenditure	1998 Initial Appropriation	1998 Revised (II) commitment authority	1998 Revised (III) Expected	1999 Proposed
Expenditure					
Temporary posts	11,152.9	16,082.0	16,539.7	15,261.3	24,257.4
Other staff costs	38.0	53.8	545.9	431.4	1,817.0
Consultants and experts (incl travel)	121.1	144.1	176.5	147.1	63.6
Travel	1,222.6	1,881.4	2,060.0	1,740.6	2,188.3
Contractual services	7.4	19.2	19.2	30.6	66.1
Staff assessment	2,015.5	3,135.8	3,231.5	3,241.8	4,722.8
Total Expenditures (gross)	14,557.5	21,316.3	22,572.8	20,852.8	33,115.2
Income					
Staff assessment	2,015.5	3,135.8	3,231.5	3,241.8	4,722.8
Other income	0.0	0.0			
Total Requirements (net)	12,542.0	18,180.5	19,341.3	17,611.0	28,392.4

D. The Registry

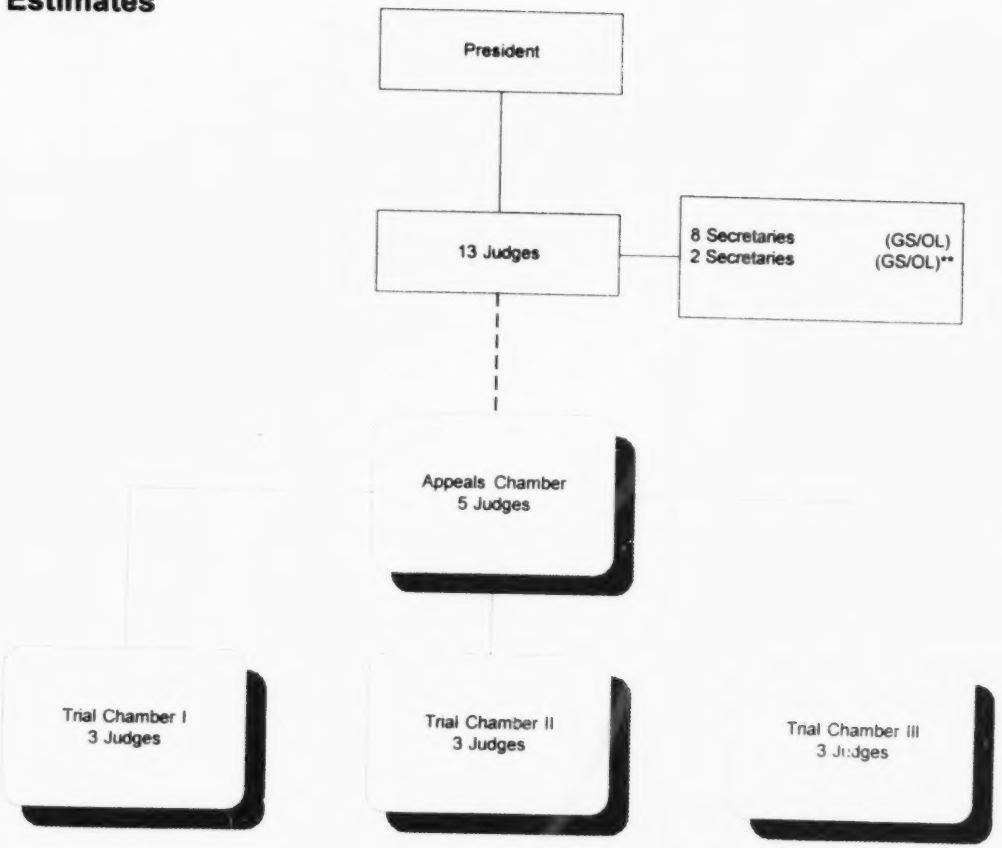
Object of Expenditure	1997 Expenditure	1998 Initial Appropriation	1998 Revised (II) commitment authority	1998 Revised (III) Expected	1999 Proposed
Expenditure					
Temporary posts	9,002.3	13,810.6	14,514.6	12,888.7	23,977.3
Other staff costs	1,416.2	3,451.4	4,346.3	3,729.5	4,957.3
Consultants & experts	33.4	78.8	78.8	82.6	362.5
Travel	455.9	1,106.4	1,394.1	1,463.9	2,938.3
Contractual services	4,604.0	9,027.8	10,983.6	12,065.1	18,643.3
General operating expenses	4,276.8	6,457.8	6,855.1	6,430.7	8,524.4
Hospitality	2.5	4.0	4.0	5.1	4.0
Supplies & materials	356.9	961.5	1,129.7	1,051.5	1,326.0
Acquisition of equipment	1,415.7	3,638.2	2,971.1	3,988.7	4,139.6
Major construction, alteration to premises	277.3	2,950.6	190.6	103.1	1,009.3
Staff assessment	2,146.8	2,862.1	2,973.2	2,737.9	5,006.3
Total Expenditures (gross)	23,987.8	44,349.2	45,441.1	44,546.8	70,888.3
Income					
Staff assessment	2,146.8	2,862.1	2,973.2	2,737.9	5,006.3
Other income	0.0	438.5	363.7	363.7	5.2
Total Requirements (net)	21,841.0	41,048.6	42,104.2	41,445.2	65,876.8

Annex II

The International Tribunal for the former Yugoslavia



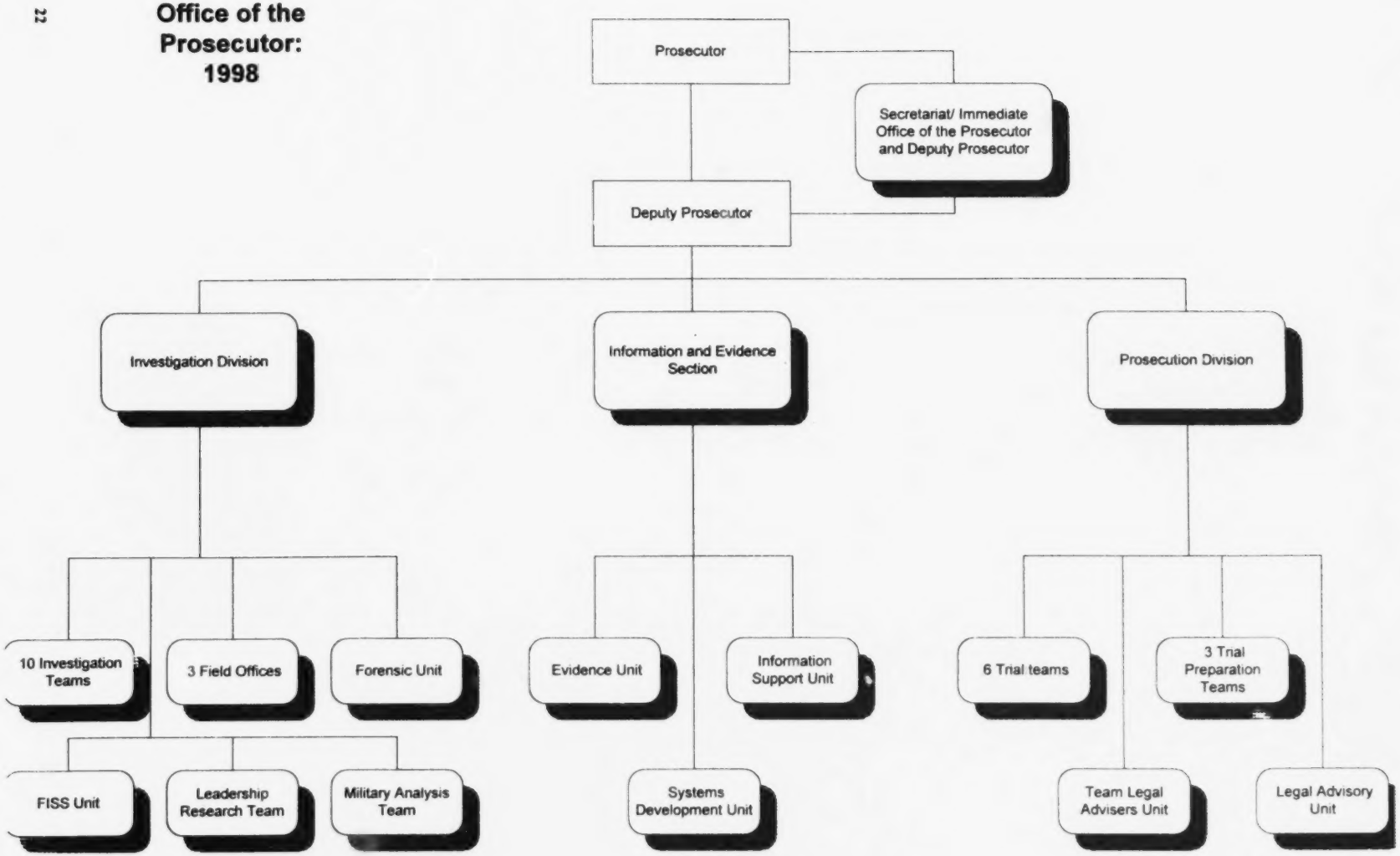
The Chambers
1998 Revised Estimates



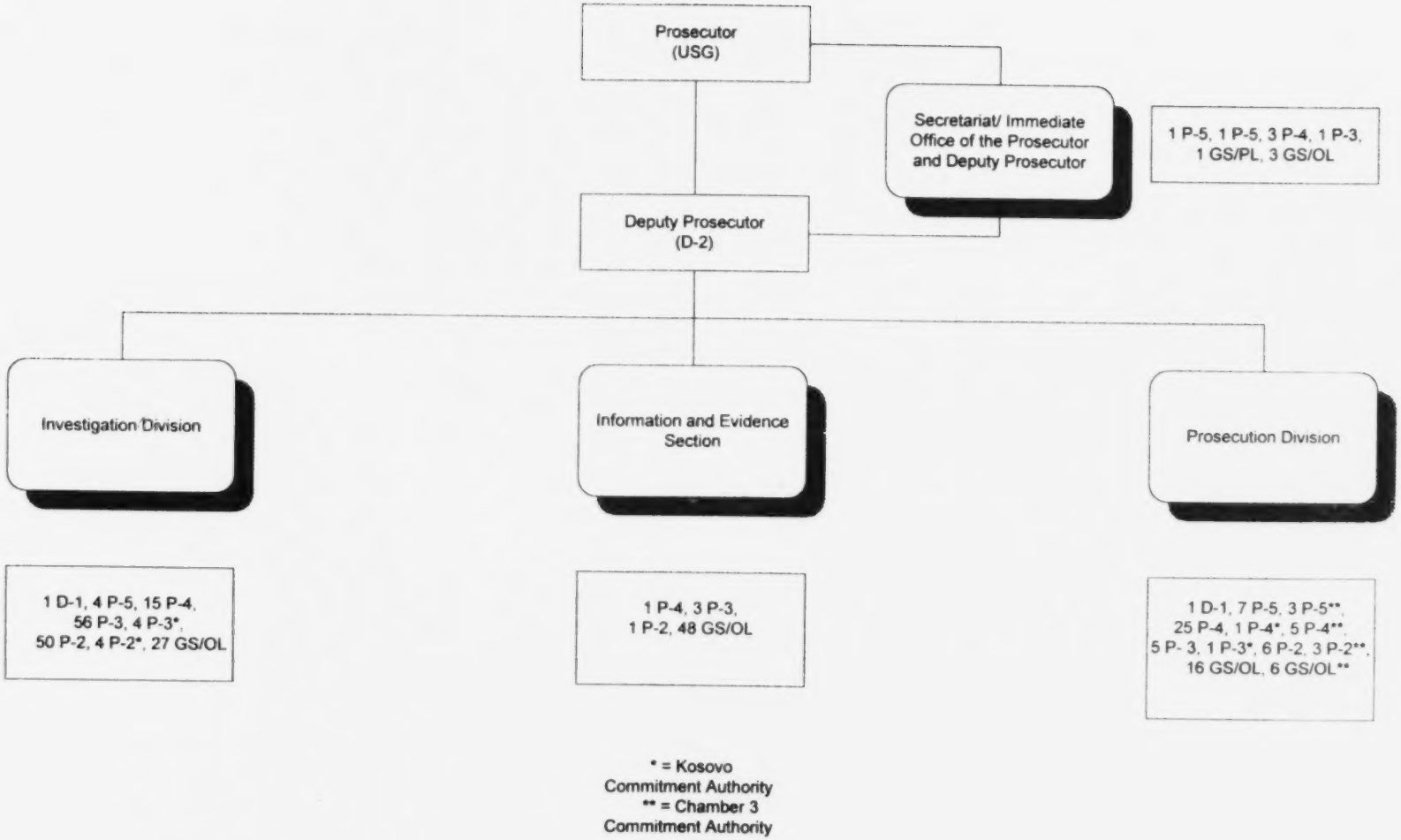
** =Chamber 3
Commitment Authority

Note: Does not include Celebici Trial Chamber

Office of the Prosecutor: 1998

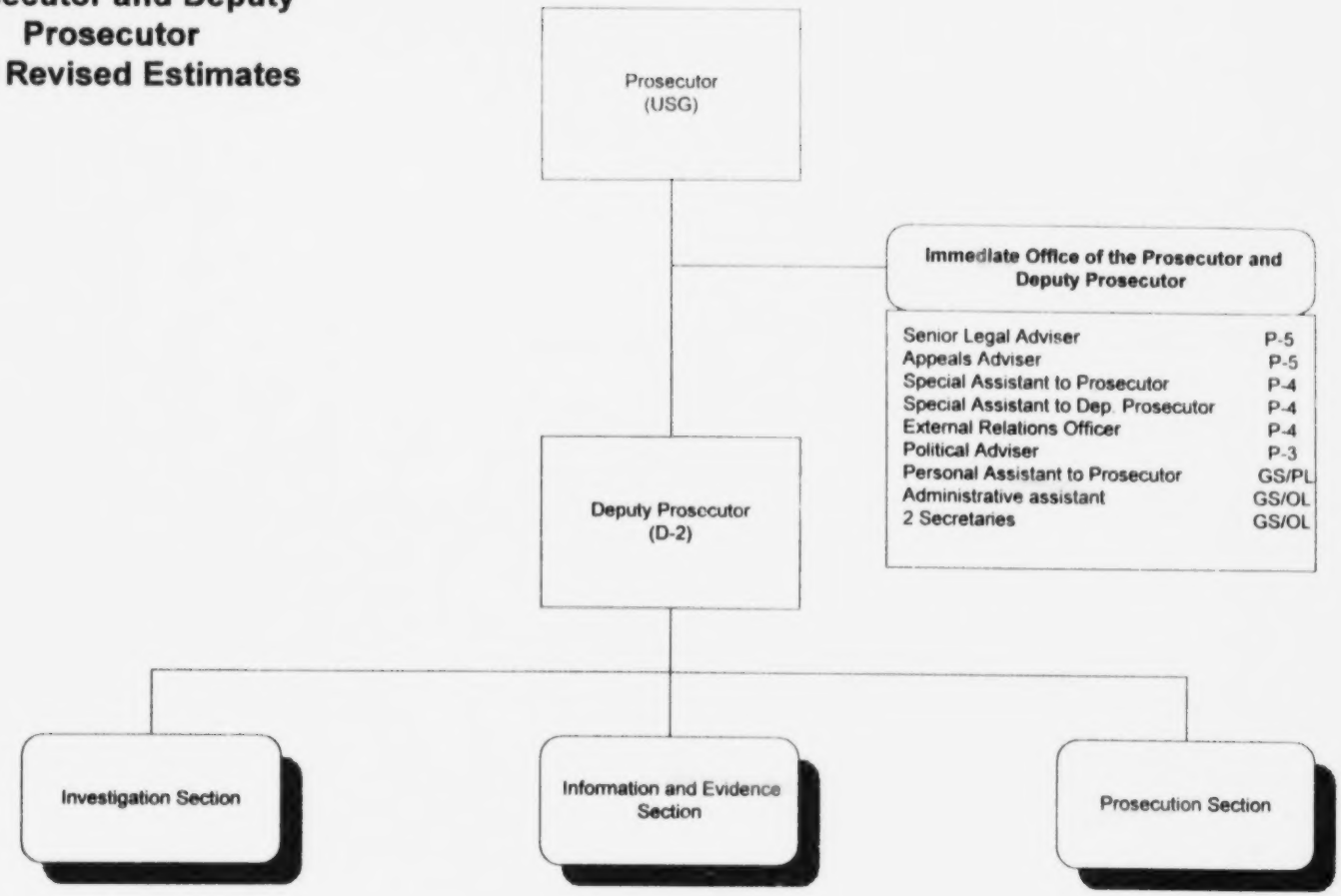


Office of the Prosecutor
1998 Revised Estimates

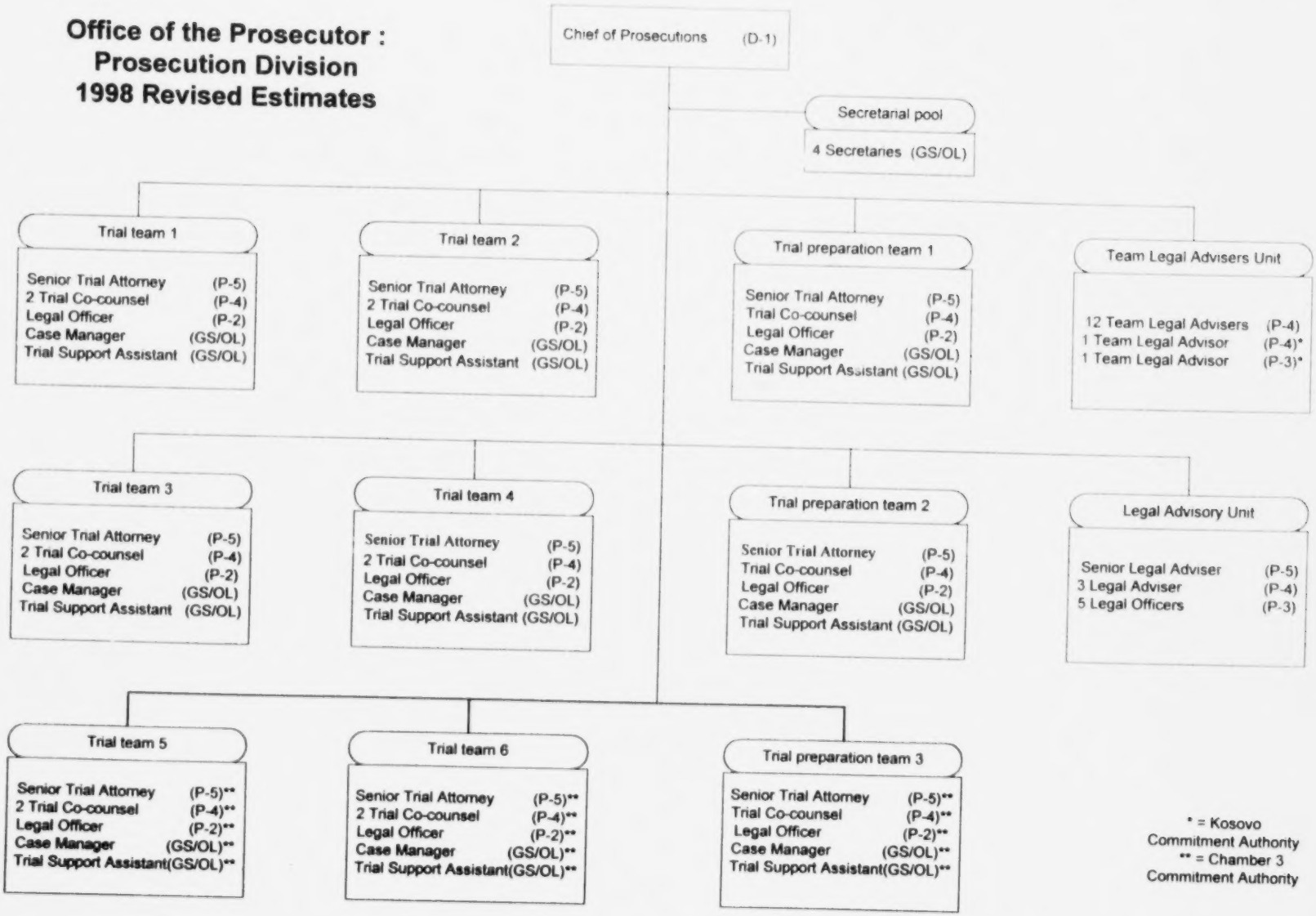

Prosecutor
(USG)
Secretariat/ Immediate Office of the Prosecutor and Deputy Prosecutor
1 P-5, 1 P-5, 3 P-4, 1 P-3, 1 GS/PL, 3 GS/OL
Deputy Prosecutor
(D-2)
Investigation Division
Information and Evidence Section
Prosecution Division
1 D-1, 4 P-5, 15 P-4, 56 P-3, 4 P-3*, 50 P-2, 4 P-2*, 27 GS/OL
1 P-4, 3 P-3, 1 P-2, 48 GS/OL
1 D-1, 7 P-5, 3 P-5**, 25 P-4, 1 P-4*, 5 P-4**, 5 P- 3, 1 P-3*, 6 P-2, 3 P-2**, 16 GS/OL, 6 GS/OL**

* = Kosovo Commitment Authority
** = Chamber 3 Commitment Authority

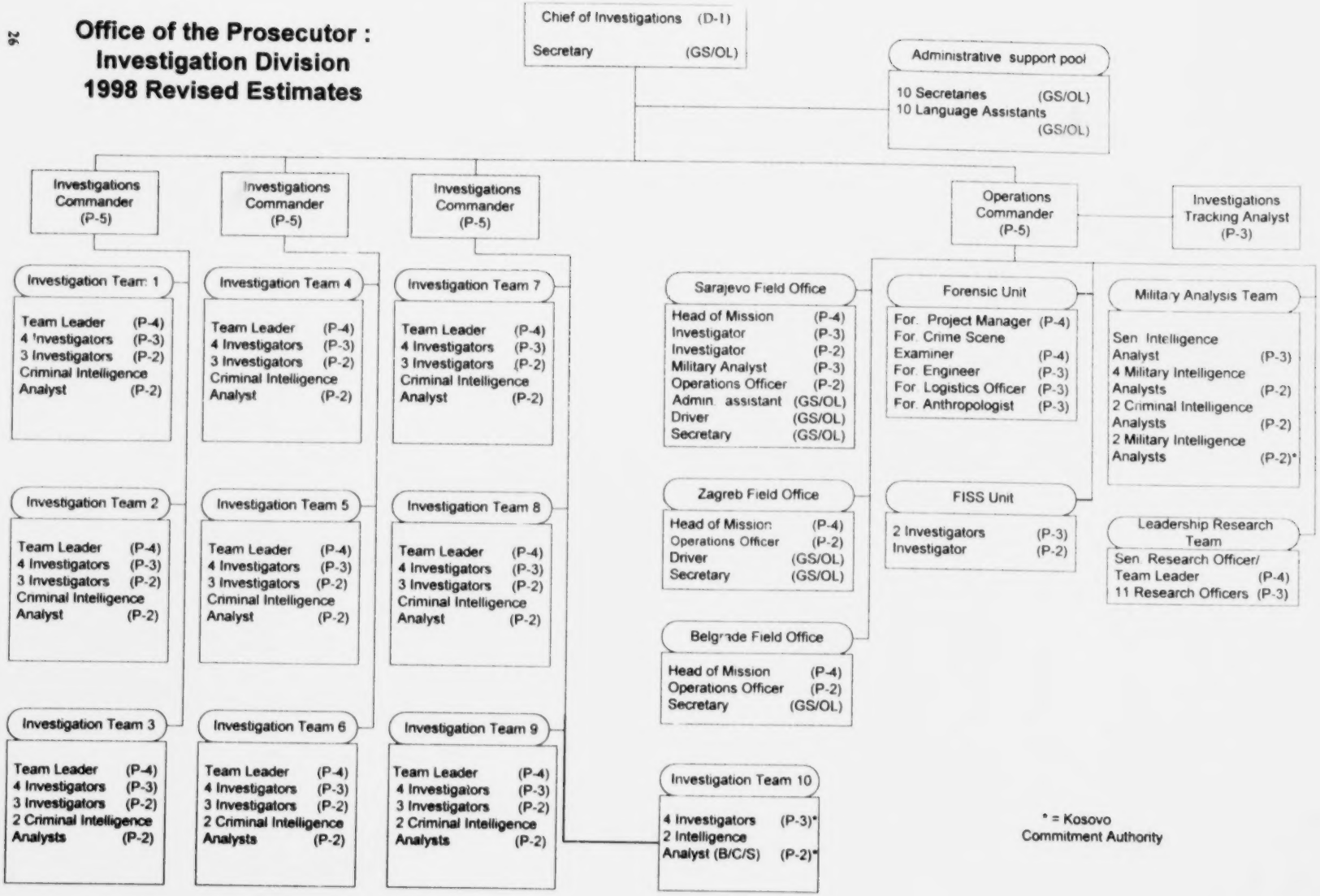
Office of the Prosecutor: Immediate Office of the Prosecutor and Deputy Prosecutor 1998 Revised Estimates



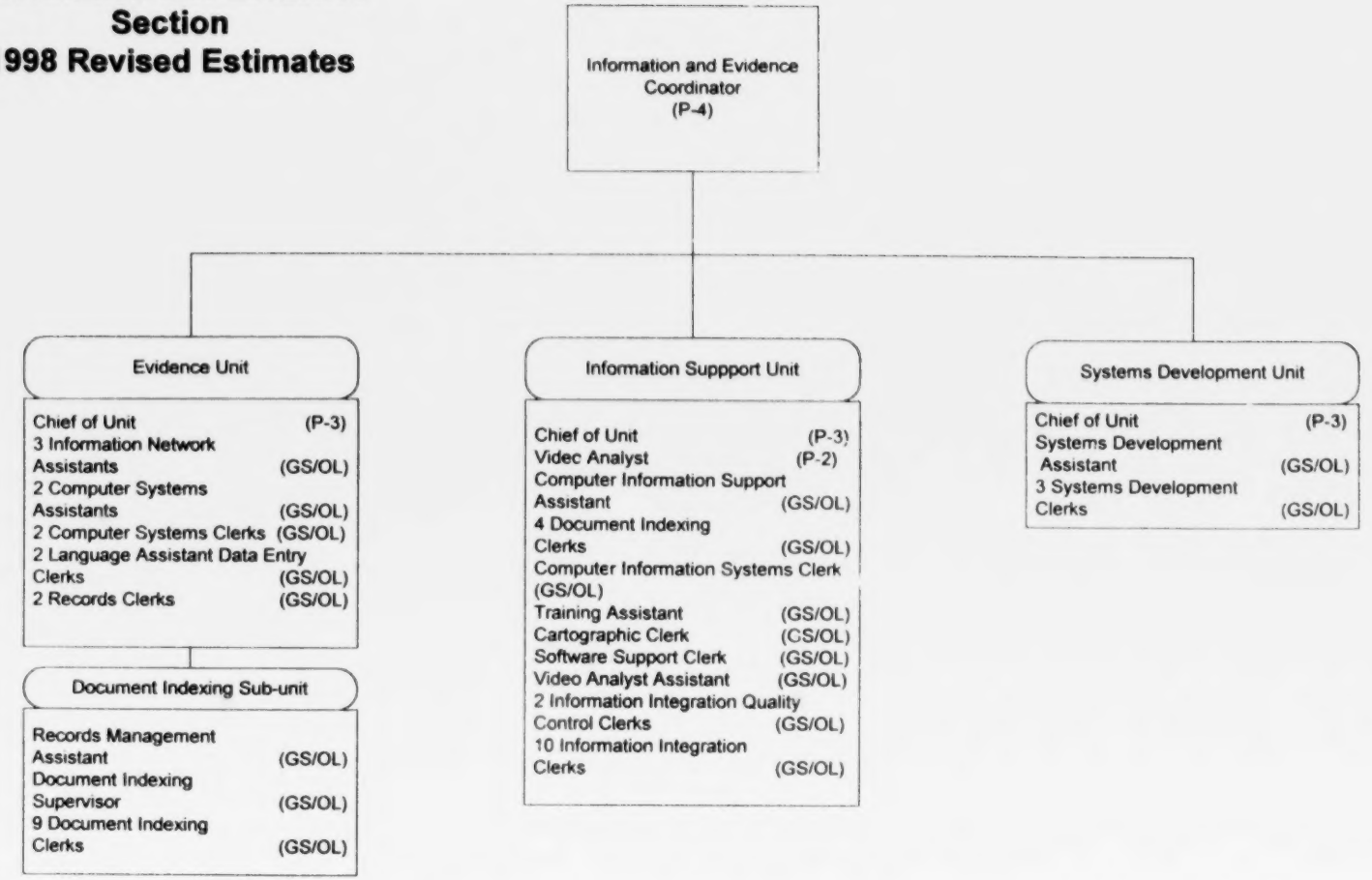
Office of the Prosecutor : Prosecution Division 1998 Revised Estimates



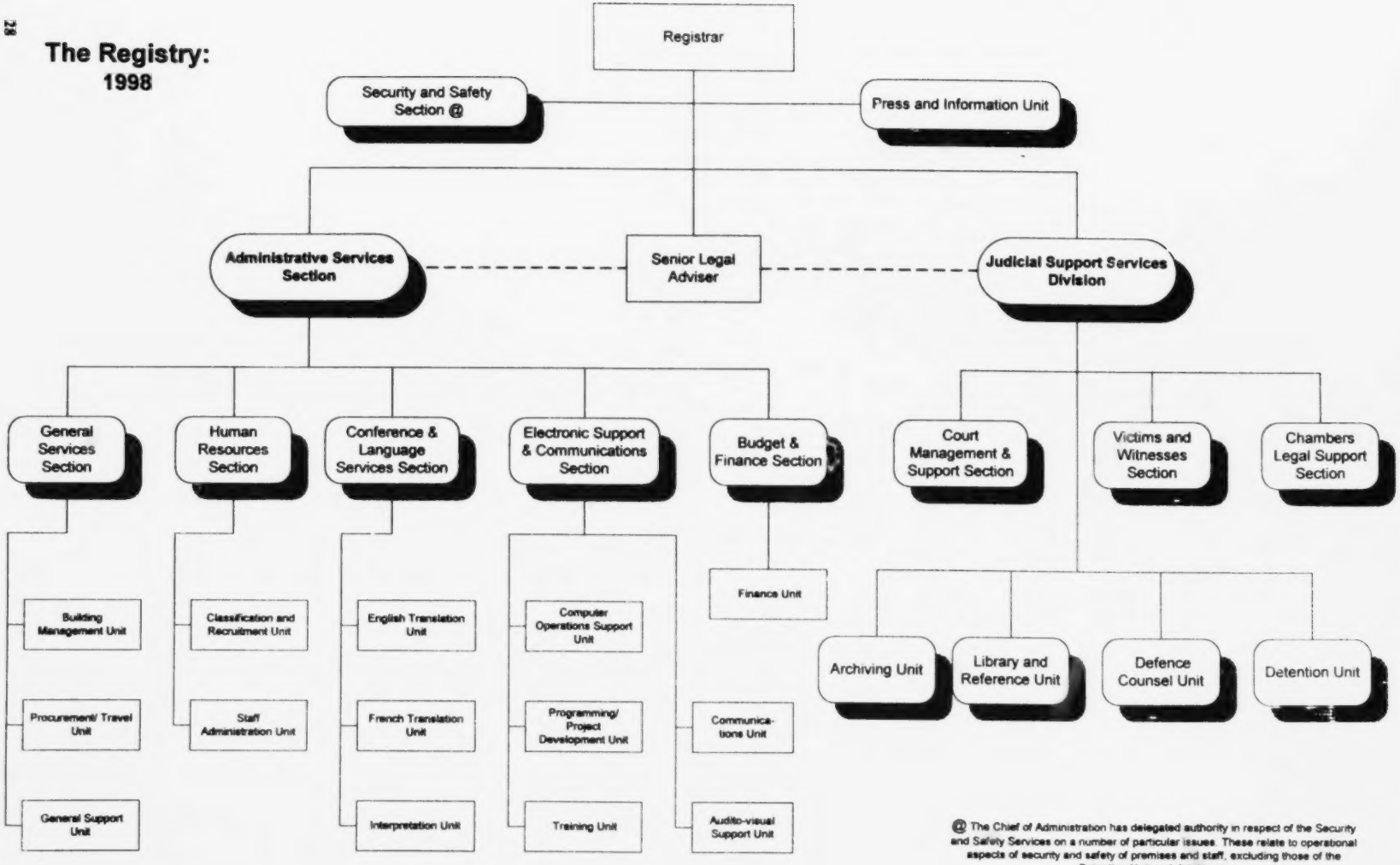
Office of the Prosecutor : Investigation Division 1998 Revised Estimates



Office of the Prosecutor: Information and Evidence Section 1998 Revised Estimates

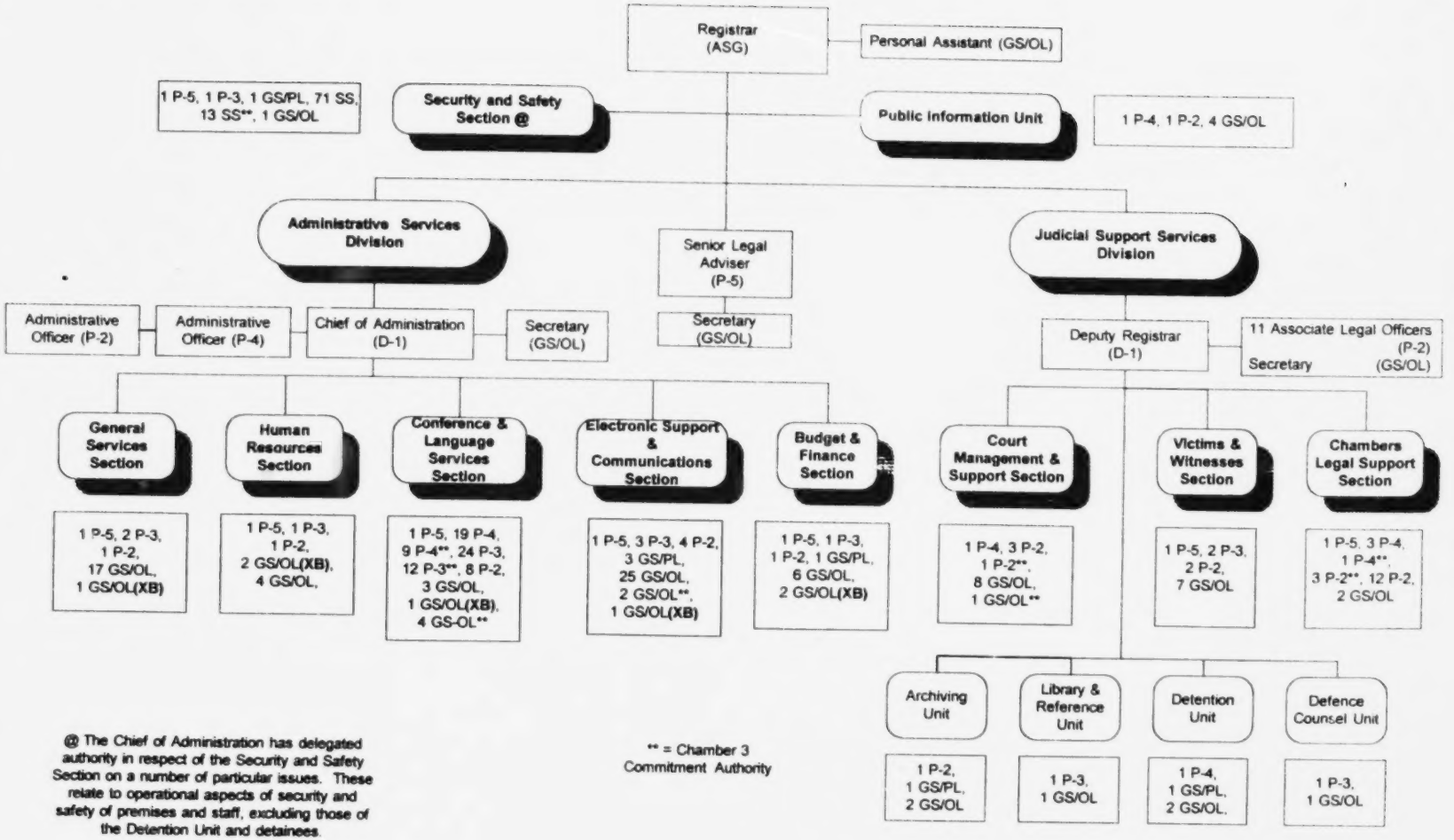

Information and Evidence Coordinator (P-4)
Evidence Unit
Chief of Unit (P-3)
3 Information Network Assistants (GS/OL)
2 Computer Systems Assistants (GS/OL)
2 Computer Systems Clerks (GS/OL)
2 Language Assistant Data Entry Clerks (GS/OL)
2 Records Clerks (GS/OL)
Document Indexing Sub-unit
Records Management Assistant (GS/OL)
Document Indexing Supervisor (GS/OL)
9 Document Indexing Clerks (GS/OL)
Information Suppport Unit
Chief of Unit (P-3)
Videc Analyst (P-2)
Computer Information Support Assistant (GS/OL)
4 Document Indexing Clerks (GS/OL)
Computer Information Systems Clerk (GS/OL)
Training Assistant (GS/OL)
Cartographic Clerk (CS/OL)
Software Support Clerk (GS/OL)
Video Analyst Assistant (GS/OL)
2 Information Integration Quality Control Clerks (GS/OL)
10 Information Integration Clerks (GS/OL)
Systems Development Unit
Chief of Unit (P-3)
Systems Development Assistant (GS/OL)
3 Systems Development Clerks (GS/OL)

The Registry: 1998



@ The Chief of Administration has delegated authority in respect of the Security and Safety Services on a number of particular issues. These relate to operational aspects of security and safety of premises and staff, excluding those of the Detention Unit and detainees.

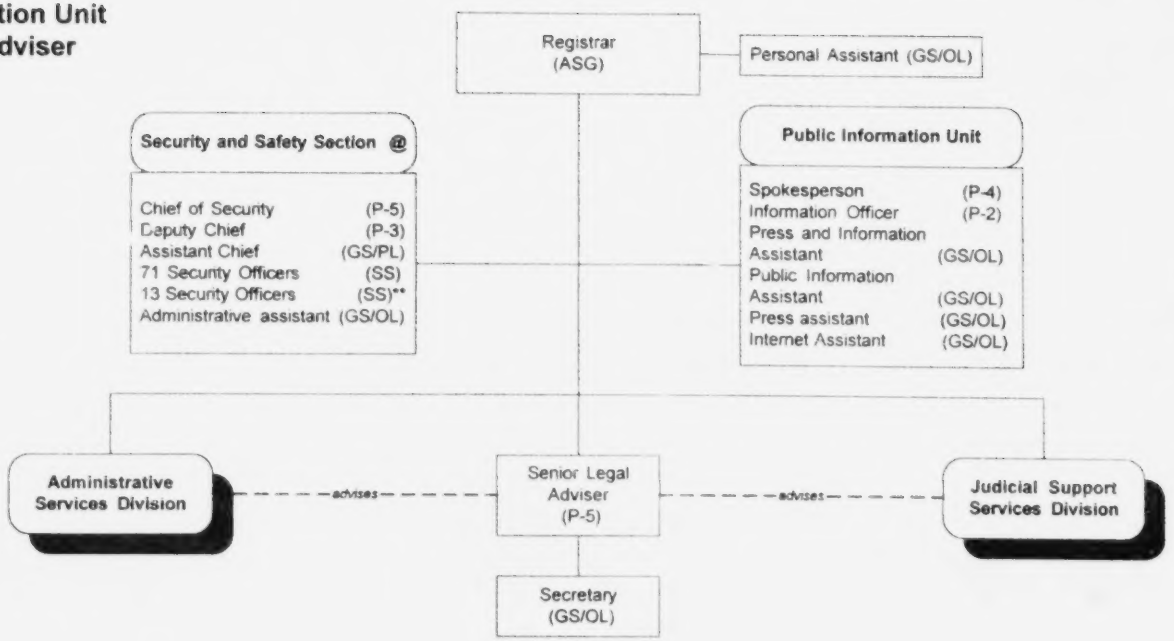
The Registry
1998 Revised Estimates


Registrar (ASG)
Personal Assistant (GS/OL)
1 P-5, 1 P-3, 1 GS/PL, 71 SS, 13 SS**, 1 GS/OL
Security and Safety Section @
Public Information Unit
1 P-4, 1 P-2, 4 GS/OL
Administrative Services Division
Senior Legal Adviser (P-5)
Judicial Support Services Division
Administrative Officer (P-2)
Administrative Officer (P-4)
Chief of Administration (D-1)
Secretary (GS/OL)
Secretary (GS/OL)
Deputy Registrar (D-1)
11 Associate Legal Officers (P-2)
Secretary (GS/OL)
General Services Section
Human Resources Section
Conference & Language Services Section
Electronic Support & Communications Section
Budget & Finance Section
Court Management & Support Section
Victims & Witnesses Section
Chambers Legal Support Section
1 P-5, 2 P-3, 1 P-2, 17 GS/OL, 1 GS/OL(XB)
1 P-5, 1 P-3, 1 P-2, 2 GS/OL(XB), 4 GS/OL,
1 P-5, 19 P-4, 9 P-4**, 24 P-3, 12 P-3**, 8 P-2, 3 GS/OL, 1 GS/OL(XB), 4 GS-OL**
1 P-5, 3 P-3, 4 P-2, 3 GS/PL, 25 GS/OL, 2 GS/OL**, 1 GS/OL(XB)
1 P-5, 1 P-3, 1 P-2, 1 GS/PL, 6 GS/OL, 2 GS/OL(XB)
1 P-4, 3 P-2, 1 P-2**, 8 GS/OL, 1 GS/OL**
1 P-5, 2 P-3, 2 P-2, 7 GS/OL
1 P-5, 3 P-4, 1 P-4**, 3 P-2**, 12 P-2, 2 GS/OL
Archiving Unit
Library & Reference Unit
Detention Unit
Defence Counsel Unit
1 P-2, 1 GS/PL, 2 GS/OL
1 P-3, 1 GS/OL
1 P-4, 1 GS/PL, 2 GS/OL,
1 P-3, 1 GS/OL

@ The Chief of Administration has delegated authority in respect of the Security and Safety Section on a number of particular issues. These relate to operational aspects of security and safety of premises and staff, excluding those of the Detention Unit and detainees.

** = Chamber 3 Commitment Authority

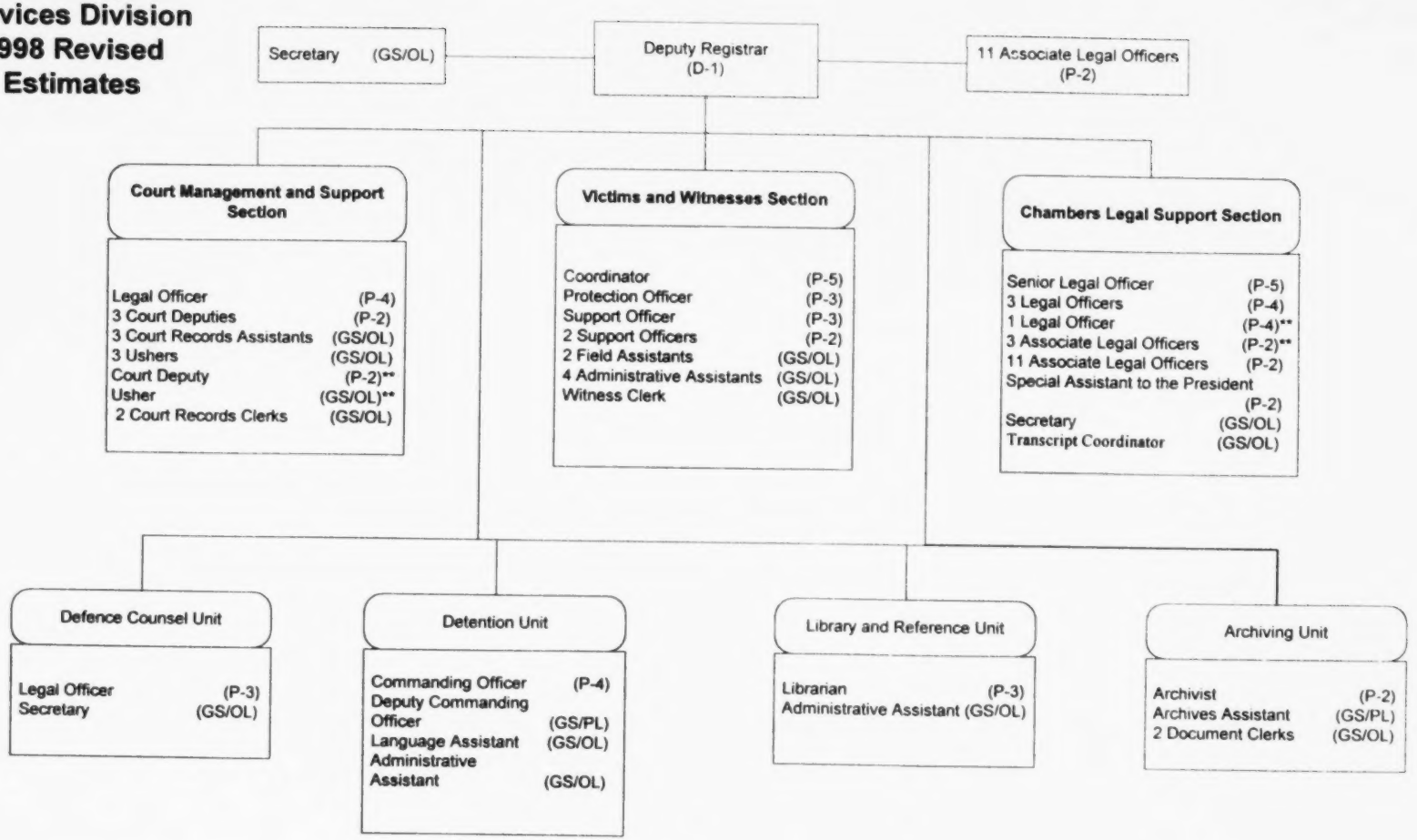
1998 Revised Estimates
The Registry:
Security and
Safety Section
Public Information Unit
Senior Legal Adviser



** = Chamber 3
Commitment Authority

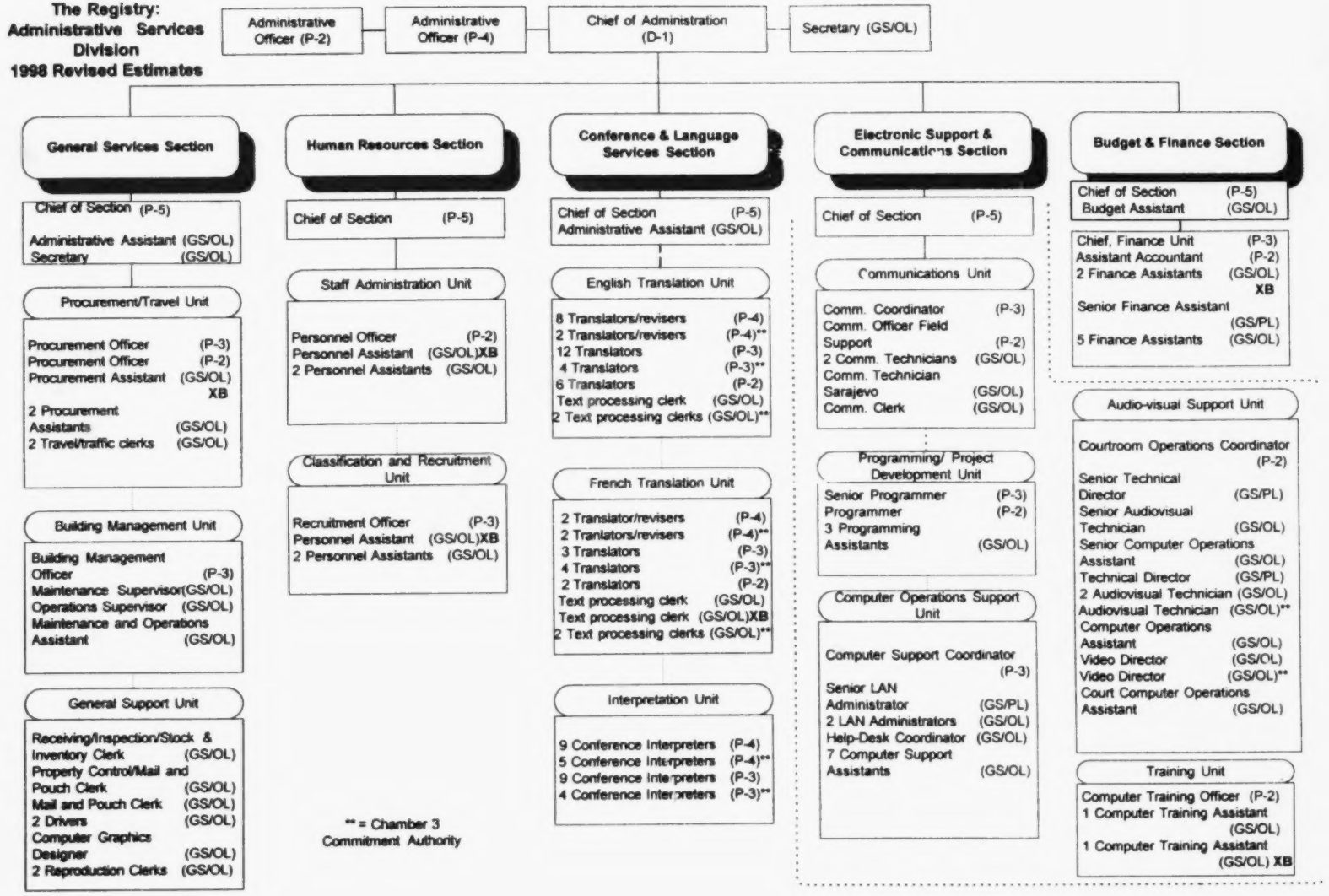
@ The Chief of Administration has delegated authority in respect of the Security and Safety Section on a number of particular issues. These relate to operational aspects of security and safety of premises and staff, excluding those of the Detention Unit and detainees.

The Registry: Judicial Support Services Division 1998 Revised Estimates

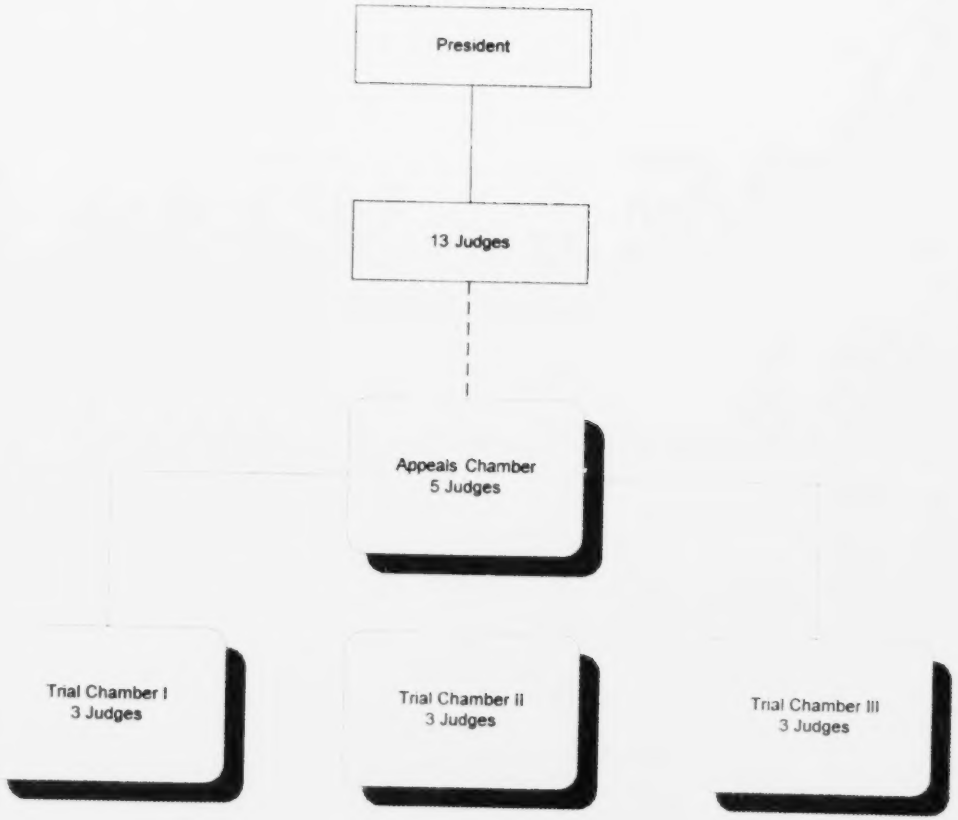


** = Chamber 3
Commitment Authority

The Registry: Administrative Services Division
1998 Revised Estimates

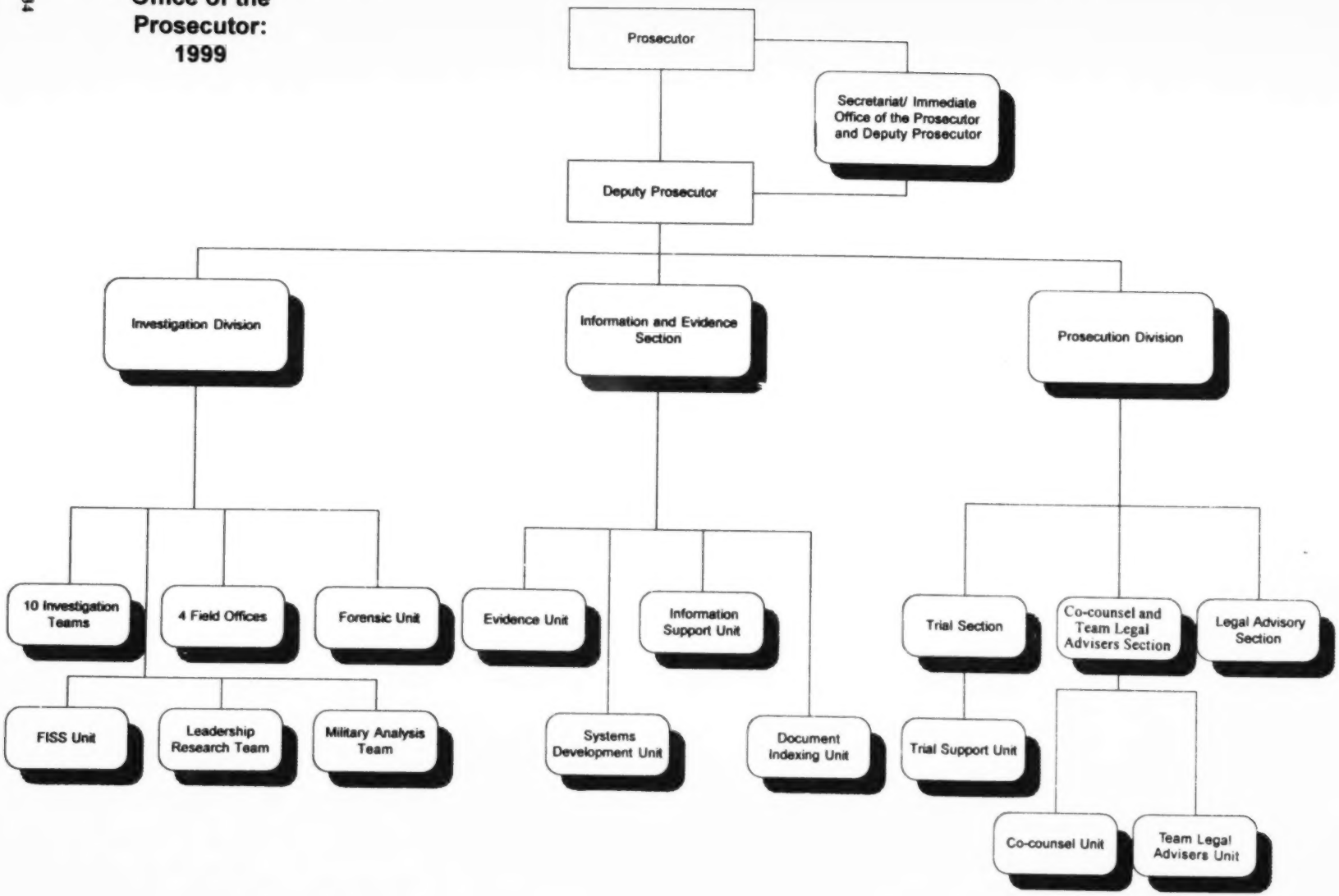


The Chambers
1999

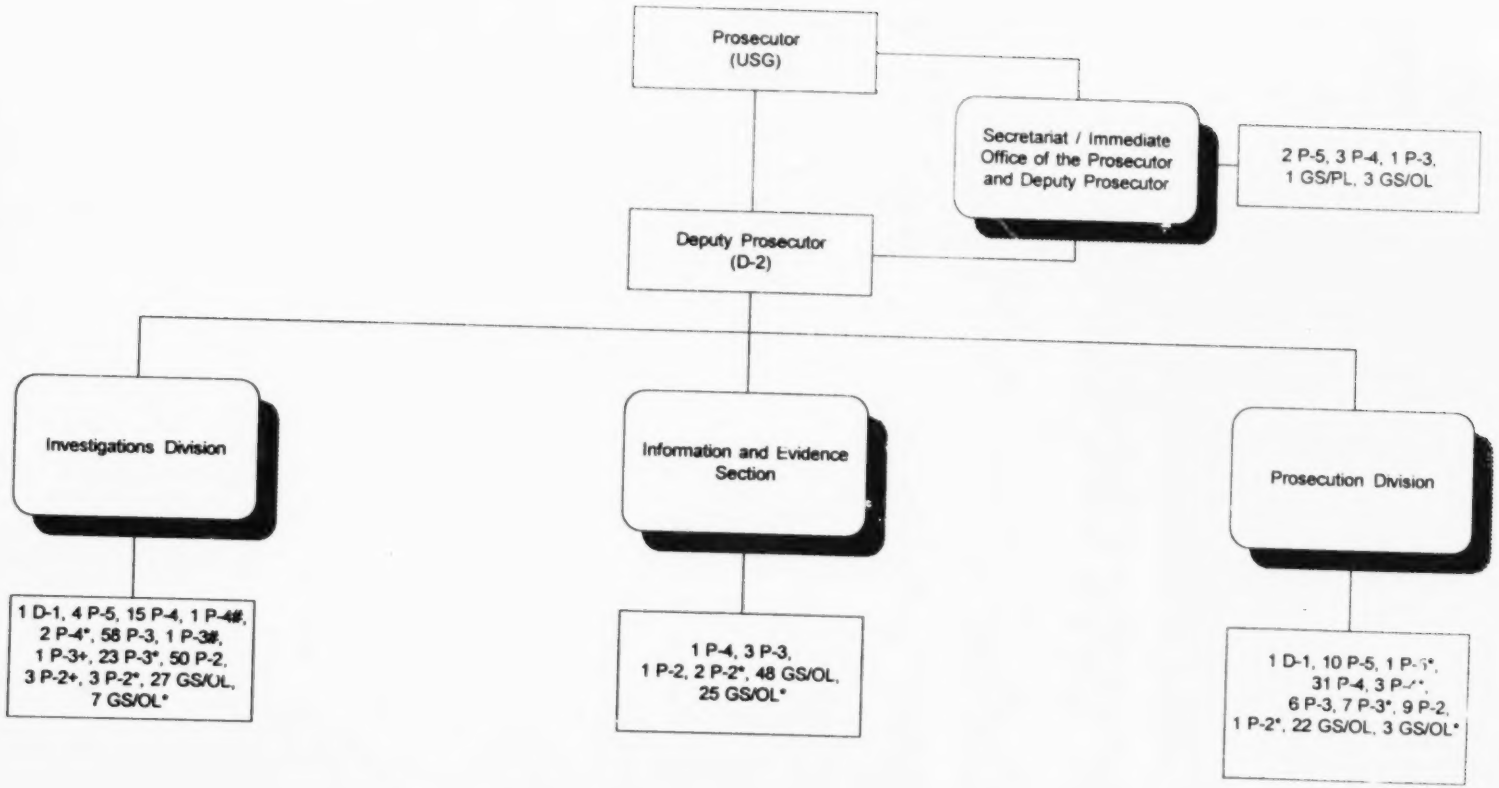


Note Does not include *Celebici* Trial Chamber

Office of the Prosecutor: 1999

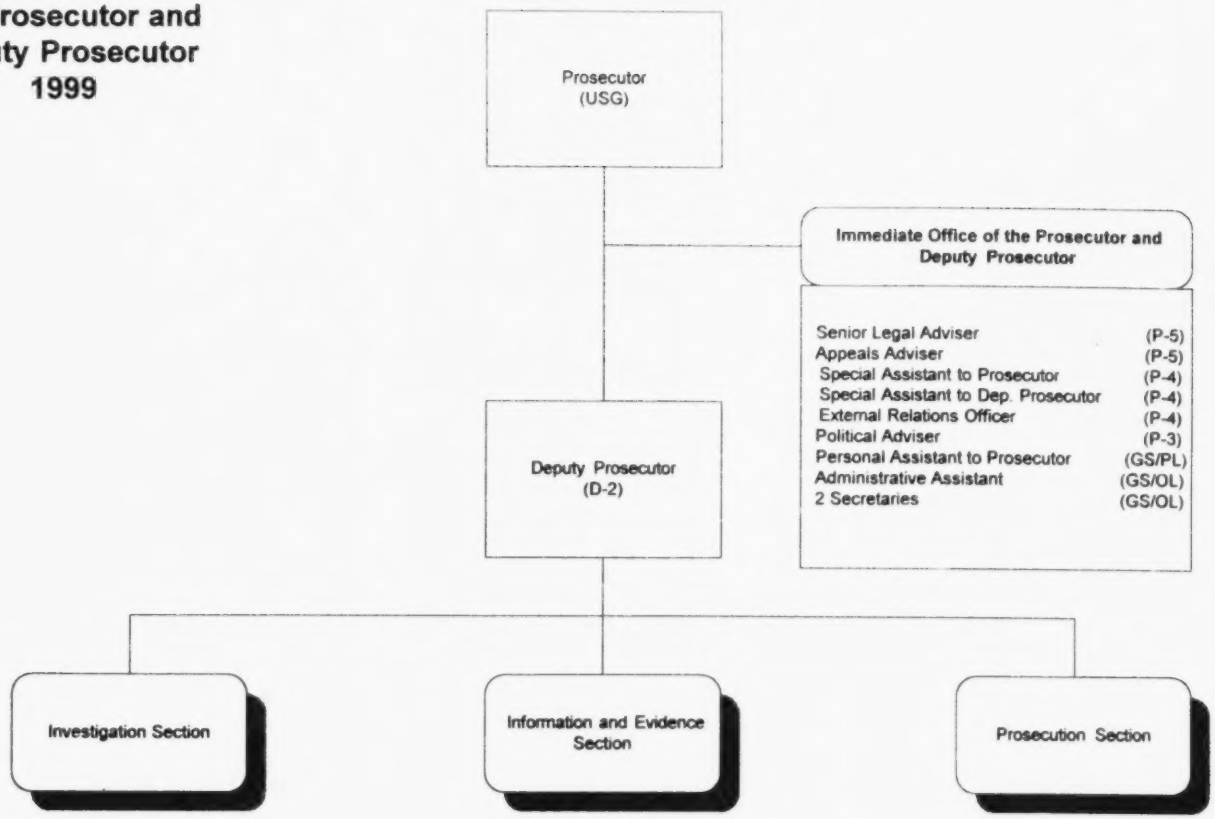


Office of the Prosecutor 1999

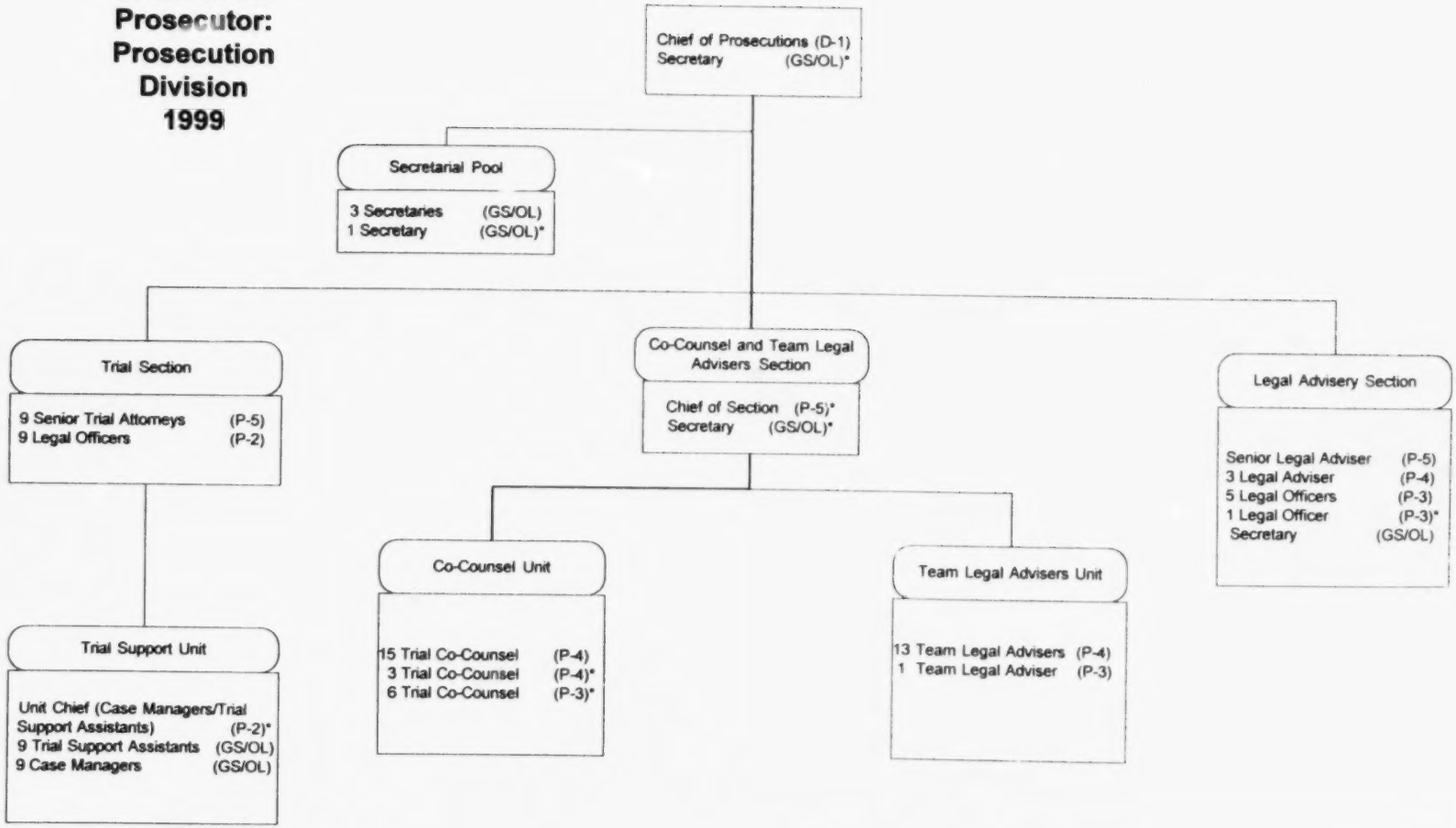

Prosecutor (USG)
Secretariat / Immediate Office of the Prosecutor and Deputy Prosecutor
2 P-5, 3 P-4, 1 P-3, 1 GS/PL, 3 GS/OL
Deputy Prosecutor (D-2)
Investigations Division
1 D-1, 4 P-5, 15 P-4, 1 P-4#, 2 P-4*, 58 P-3, 1 P-3#, 1 P-3+, 23 P-3*, 50 P-2, 3 P-2+, 3 P-2*, 27 GS/OL, 7 GS/OL*
Information and Evidence Section
1 P-4, 3 P-3, 1 P-2, 2 P-2*, 48 GS/OL, 25 GS/OL*
Prosecution Division
1 D-1, 10 P-5, 1 P-5*, 31 P-4, 3 P-4*, 6 P-3, 7 P-3*, 9 P-2, 1 P-2*, 22 GS/OL, 3 GS/OL*

= Reclassification
* = New post proposed in the 1999 budget proposal
+ = Redeployed Post

Office of the Prosecutor: Immediate Office of the Prosecutor and Deputy Prosecutor 1999

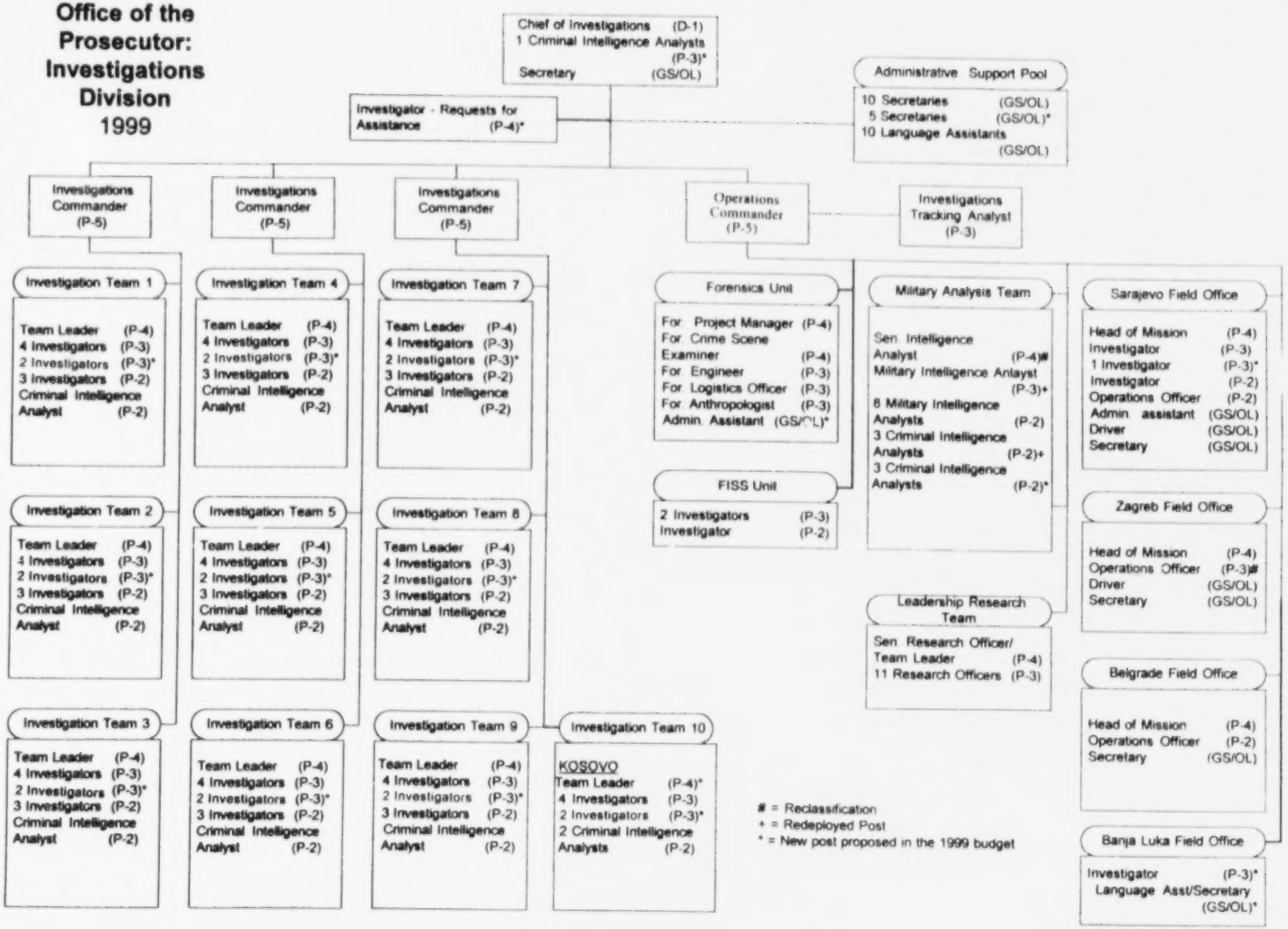


Office of the Prosecutor: Prosecution Division 1999



* = New post proposed in the 1999 budget

Office of the Prosecutor: Investigations Division 1999

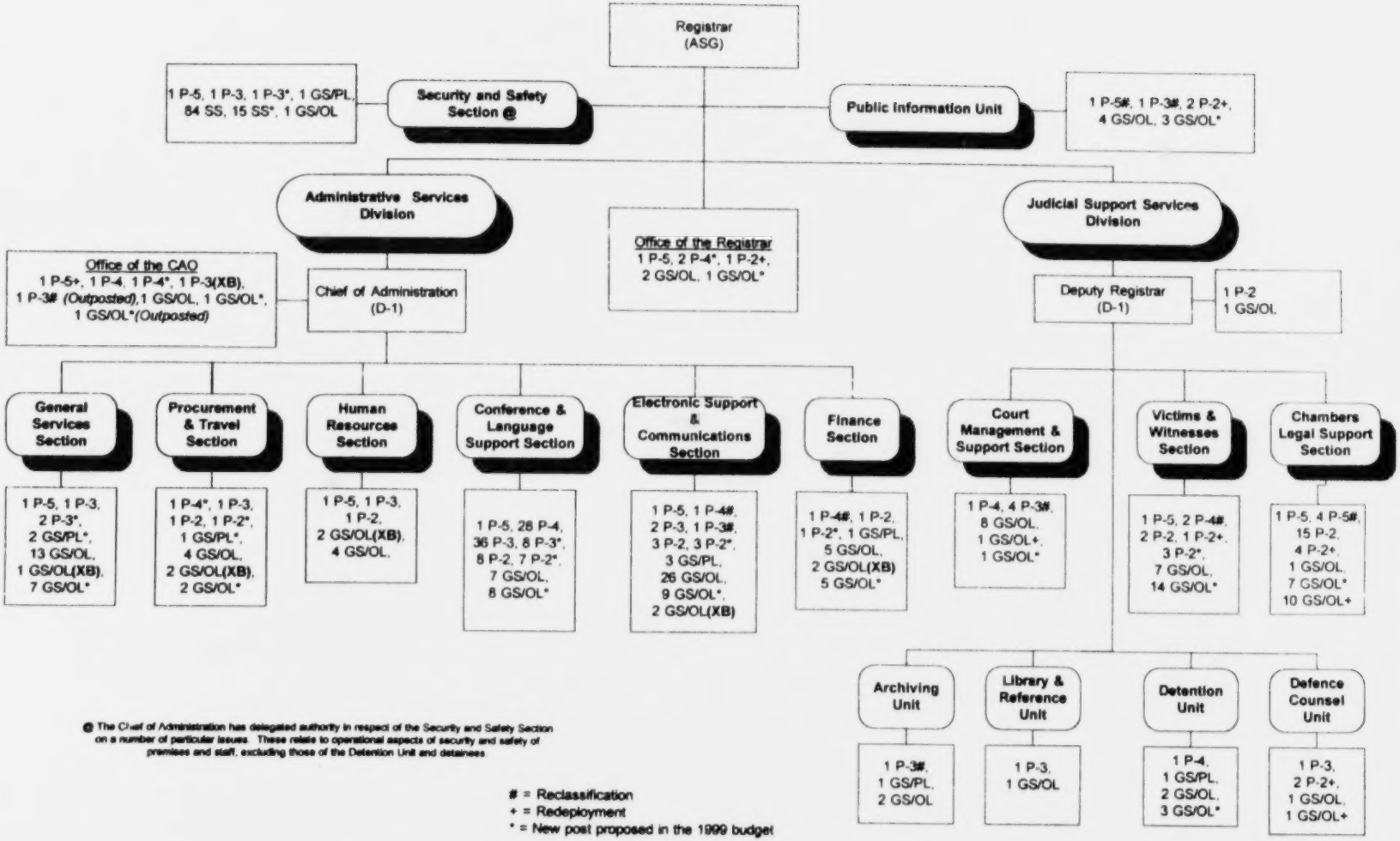


Office of the Prosecutor: Information and Evidence Section 1999

Information and Evidence Coordinator (P-4)
Administrative Assistant (GS/OL)*
Evidence Unit
Chief of Unit (P-3)
3 Information Network Assistants (GS/OL)
2 Computer Systems Assistants (GS/OL)
2 Evidence Registration Assistants (GS/OL)*
2 Computer Systems Clerks (GS/OL)
2 Language Assistant Data Entry Clerks (GS/OL)
2 Records Clerks (GS/OL)
Document Indexing Unit
Chief of Unit (P-2)*
Records Management Assistant (GS/OL)
Document Indexing Supervisor (GS/OL)
Document Indexing Supervisor (GS/OL)*
9 Document Indexing Clerks (GS/OL)
11 Document Indexing Clerks (GS/OL)*
Information Suppport Unit
Chief of Unit (P-3)
Video Analyst (P-2)
Computer Information Support Assistant (GS/OL)
Computer Information Systems Clerk (GS/OL)
Computer Information Systems Clerk (GS/OL)*
Training Assistant (GS/OL)
Training Assistant (GS/OL)*
Cartographic Clerk (GS/OL)
Software Support Clerk (GS/OL)
Software Support Clerk (GS/OL)*
Video Analyst Assistant (GS/OL)
2 Information Integration Quality Control Clerks (GS/OL)
14 Information Integration Clerks (GS/OL)
5 Information Integration Clerks (GS/OL)*
Systems Development Unit
Chief of Unit (P-3)
Database Administrator (P-2)*
Systems Development Assistant (GS/OL)
2 Systems Development Assistants (GS/OL)*
3 Systems Development Clerks (GS/OL)

* = New post proposed in the 1999 budget proposal

The Registry
1999

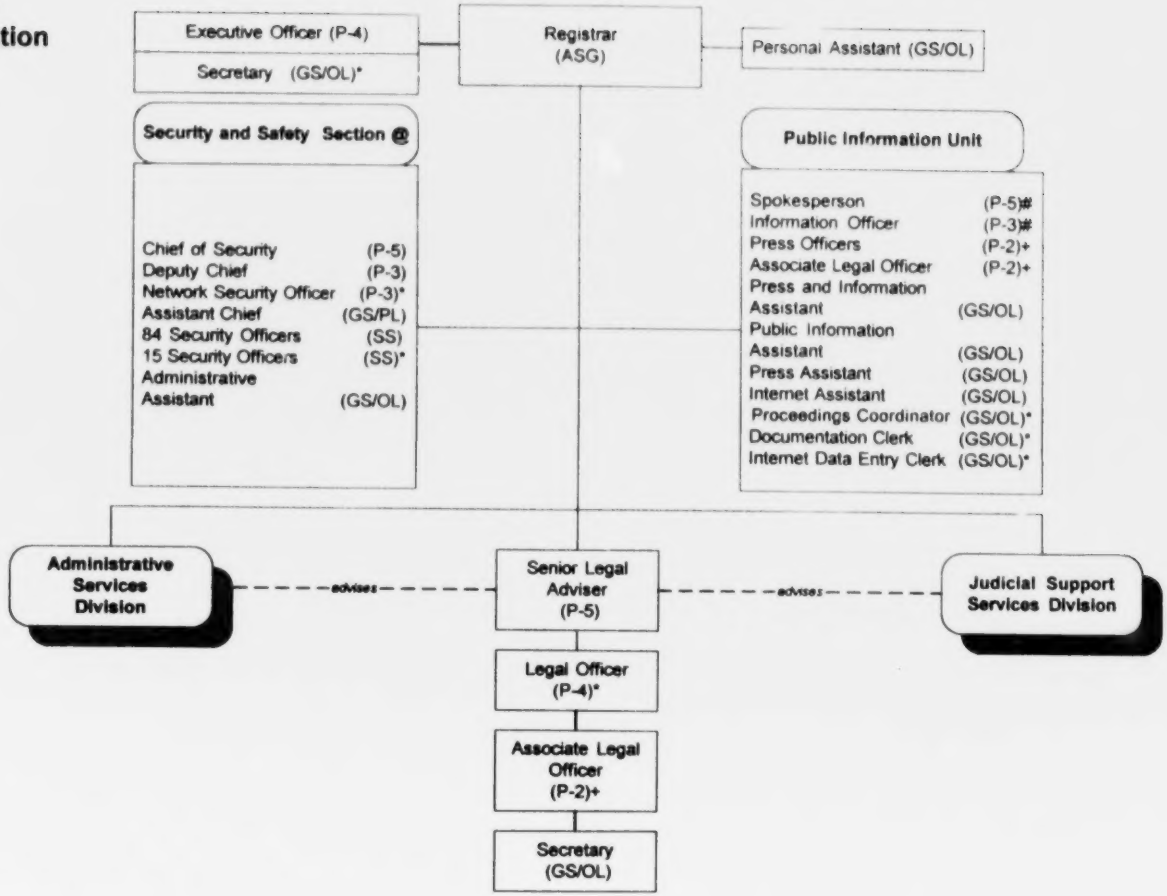


@ The Chief of Administration has delegated authority in respect of the Security and Safety Section on a number of particular issues. These relate to operational aspects of security and safety of premises and staff, excluding those of the Detention Unit and detainees.

\# = Reclassification
\+ = Redeployment
* = New post proposed in the 1999 budget

The Registry: 1999

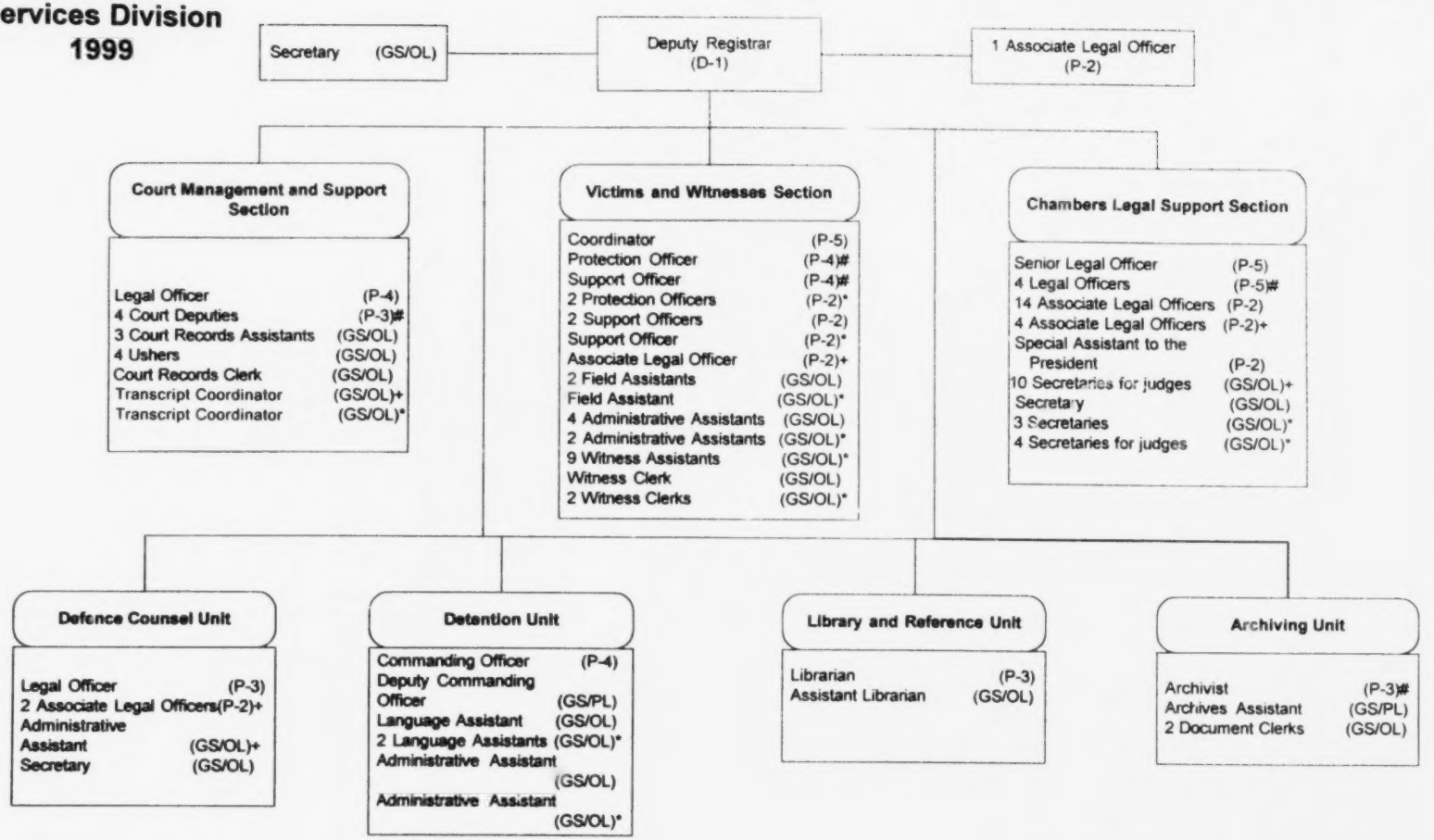
Security and Safety Section
Public Information Unit
Senior Legal Adviser



@ The Chief of Administration has delegated authority in respect of the Security and Safety Section on a number of particular issues. These relate to operational aspects of security and safety of premises and staff, excluding those of the Detention Unit and detainees.

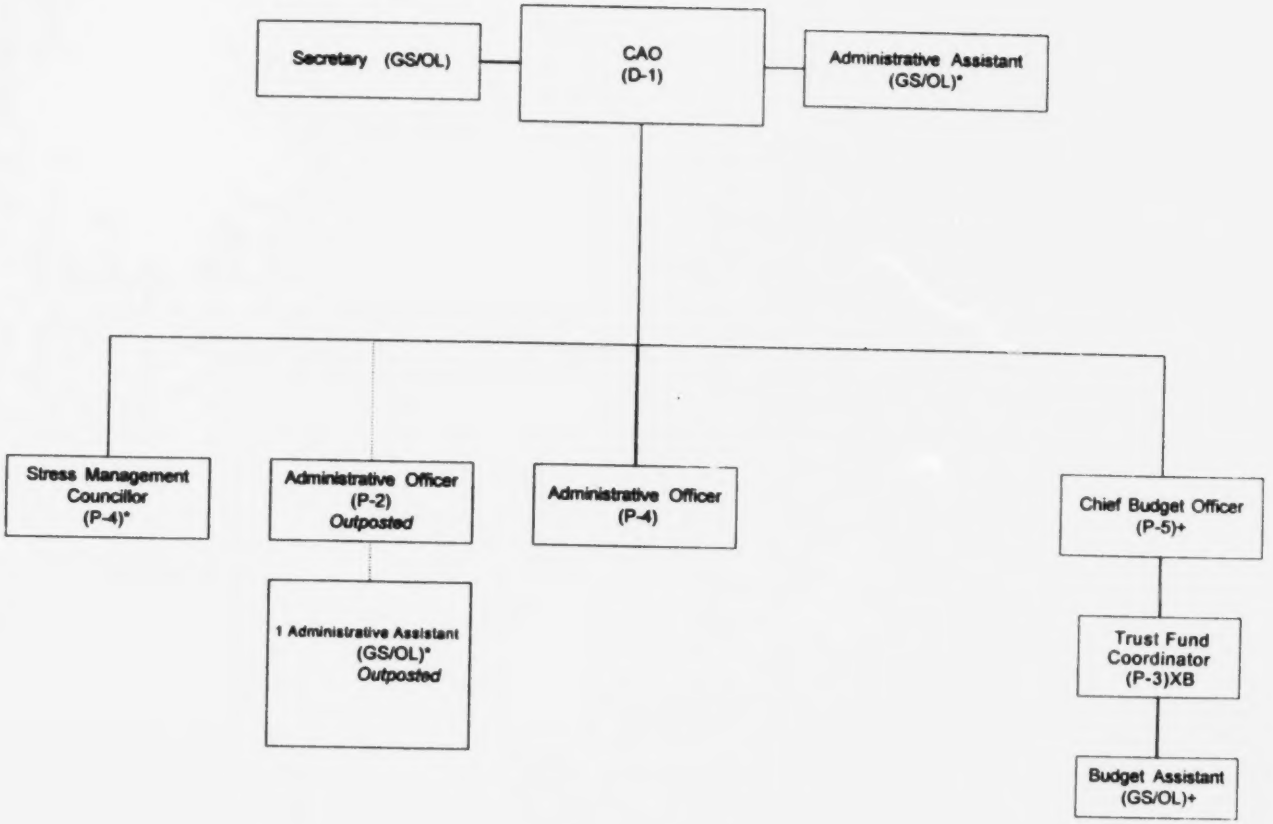
\# = Reclassification Request
\+ = Redeployment
* = New post proposed in the 1999 budget

The Registry: Judicial Support Services Division 1999



\# = Reclassification Request
\+ = Redeployment
* = New post proposed in the 1999 budget

The Registry:
Office of the Chief Administrative Officer (CAO)
1999



#= Reclassification
+ = Redeployment
* = New post proposed in the 1999 budget

The Registry: Administrative Services Division 1999

Office of the CAO

General Services Section

- Chief of Section (P-5)
- Admin. Assist. (GS/OL)
- Secretary (GS/OL)

Building Management Unit

- Building Management Officer (P-3)
- Building Maintenance Supervisor (GS/PL)*
- Building Services Supervisor (GS/PL)*
- 3 BMU Technicians (GS/OL)
- 2 BMU Technicians (GS/OL)*
- 2 Building Services Clerk (GS/OL)*

Central Support Services Unit

- Central Services Officer (P-3)*
- 1 Protocol Assistant (GS/OL)*
- 1 Protocol Assistant (GS/OL)XB
- Receiving & Inspection Clerk (GS/OL)
- Receiving & Inspection Clerk (GS/OL)*
- Computer Graphics Designer (GS/OL)
- 2 Reproduction Clerks (GS/OL)

Supply & Logistics Unit

- Logistics Support Officer (P-3)*
- Property Control/Mail & Pouch Clerk (GS/OL)
- Mail & Pouch Clerk (GS/OL)
- 2 Drivers (GS/OL)
- Driver (GS/OL)*

Procurement and Travel Section

Procurement Unit

- Procurement Officer (P-4)*
- Procurement Officer (P-3)
- Procurement Officer (P-2)
- Procurement Assistant
- Vendor Database (GS/PL)*
- 2 Procurement Assistants (GS/OL)
- Procurement Assistant (GS/OL)* XB
- 2 Procurement Clerks
- Vendor Database (GS/OL)*

Travel Unit

- Travel & Traffic Officer (P-2)*
- Travel & Traffic Assistant (GS/OL)XB
- 2 Travel & Traffic Clerks (GS/OL)

Human Resources Section

- Chief of Section (P-5)

Staff Administration Unit

- Personnel Officer (P-2)
- Personnel Assistant (GS/OL)XB
- 2 Personnel Assistants (GS/OL)
- Personnel Clerk (GS/OL)*
- Filing Clerk (GS/OL)*
- Nurse (GS/OL)*

Recruitment and Training Unit

- Recruitment Officer (P-3)
- Personnel Assistant (GS/OL)XB
- 2 Personnel Assistants (GS/OL)
- 2 Recruitment Clerks (GS/OL)*

Conference & Language Services Section

- Chief of Section (P-5)
- Administrative Assist (GS/OL)
- Administrative Assist.(GS/OL)*

English Translation Unit

- 10 Translators/Revisers (P-4)
- 16 Translators (P-3)
- 6 Translators (P-3)*
- 6 Translators (P-2)
- 6 Translators (P-2)*
- 1 Translator (Sarajevo F.O.) (P-2)*
- 2 Translators (P-2)+
- 2 Text Processing Clerks (GS/OL)
- Documents Control Co-ord. (GS/OL)
- 3 Language Assistants (GS/OL)*

French Translation Unit

- 4 Translator/Revisers (P-4)
- 7 Translators (P-3)
- 2 Translators (P-3)*
- 2 Text processing Clerks (GS/OL)

Interpretation Unit

- 14 Conference Interpreters (P-4)
- 13 Conference Interpreters (P-3)
- Conference Services Assistant (GS/OL)

Court Reporters Unit

- 4 Court Monitors (GS/OL)*

Electronic Support & Communications Section

- Chief of Section (P-5)
- Administrative Assistant (GS/OL)XB
- Secretary/Clerk (GS/OL)*

Communications Unit

- Comm. Co-ordinator (P-3)
- Comm. Officer - Field (P-2)
- 2 Comm. Technicians (GS/OL)
- 1 Comm. Technician (GS/OL)*
- Comm. Clerk (GS/OL)
- 2 Receptionists (GS/OL)*

Programming/ Project Development Unit

- Senior Programmer (P-3)
- Programmer (P-2)
- Database Administrator (P-2)*
- Reality Administrator (P-2)*
- 3 Programming Assistants (GS/OL)
- Programming Assist.(GS/OL)*

Computer Operations Support Unit

- Computer Support Coordinator (P-4)#
- Internet/Intranet Admin. (P-2)*
- Senior LAN Adminstr. (GS/PL)
- 2 LAN Administrators (GS/OL)
- 2 LAN Administrators (GS/OL)*
- Help-Desk Coordinator (GS/OL)
- 7 Computer Support Assistants (GS/OL)
- 1 Computer Support Assistant (GS/OL)* XB

Finance Section

- Chief, Finance Unit (P-4)#
- Assistant Accountant (P-2)
- Assistant Accountant (P-2)*
- Senior Finance Assistant (GS/PL)
- 2 Finance Assistants (GS/OL) XB
- 5 Finance Assistants (GS/OL)
- 5 Finance Assistants (GS/OL)*

Audio-visual Support Unit

- Courtroom Ops. Coord. (P-3)#
- Senior Tech. Director (GS/PL)
- Senior Audiovisual Technical Director (GS/PL)
- Senior Audiovisual Technician (GS/OL)
- Senior Computer Operations Assistant (GS/OL)
- 3 Audiovisual Technicians (GS/OL)
- Computer Operations Assistant (GS/OL)
- 2 Video Directors (GS/OL)
- Court Computer Operations Assistant (GS/OL)
- Court Computer Operations Assistant (GS/OL)*

Training Unit

- Computer Training Officer (P-2)
- Computer Training Assist. (GS/OL)
- Computer Training Assist. (GS/OL)*

* = New Post proposed in the 1999 budget
\# = Reclassification

Annex III

A. Statistics for posts for the International Tribunal for the Former Yugoslavia by division, service and section, as at 30 September 1998

Section	*Authorized*	*Vacant*	*Vacancy rate, %*
Judges' chambers			
Judges' chambers	10	2	20
Subtotal for Division	**10**	**2**	**20**
Office of the Prosecutor			
Office of the Chief	12	2	17
Prosecution	79	28	35
Investigations	161	31	19
Information and Evidence	53	10	19
Subtotal for Division	**305**	**71**	**23**
Registry/Service: Registrar			
Office of the Registrar	2		
Security	88	5	6
Press and information	6		
Legal support	2		
Subtotal for Service	**98**	**5**	**5**
Registry/Service: Administrative Services			
Office of the Chief Administrative Officer	4		
Human Resources	7	1	14
Budget and Finance	10	1	10
General Services	21		
Electronic Support and Communications	38	7	18
Library and Reference	2		
Archiving	4	1	25
Conference and Language Services	80	21	26
Subtotal for Service	**166**	**31**	**19**
Registry/Service: Judicial Support Services			
Office of the Deputy Registrar	13	4	31
Chambers Legal	22	5	23
Defence Counsel	2		
Detention Facilities	4		
Victims and Witnesses	12	1	8
Court Management and Support Services	14	5	36
Subtotal for Services	**67**	**15**	**22**
Subtotal for Division	**331**	**51**	**15**
Total	**646**	**124**	**19**

B. Actual and forecast staffing, incumbency and vacancy rate, for the period from 1 January to 31 December 1998[a]

	Authorized staffing Jan.–June	Authorized staffing July–Oct.	Authorized staffing Nov.–Dec.	31 Dec. 1997	Actual staff on board									Forecast		
					Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1. Total Tribunal																
USG	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
ASG	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
D–2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
D–1	4	4	4	3	3	3	3	3	3	3	3	3	3	3	3	3
P–5	22	22	25	12	17	17	17	18	18	18	18	18	20	20	20	20
P–4	64	81	86	46	47	51	53	53	52	53	53	57	58	61	65	68
P–3	85	118	118	65	64	64	64	66	69	75	79	83	96	95	100	104
P–2	74	108	114	31	32	34	34	35	37	42	49	70	75	90	100	113
Subtotal	**252**	**336**	**350**	**160**	**166**	**172**	**174**	**178**	**182**	**194**	**205**	**234**	**255**	**272**	**291**	**311**
Vacancy rate (percentage)					34.1	31.7	31.0	29.4	27.8	23.0	39.0	30.4	24.1	19.0	16.9	11.1
GS/PL	7	8	8	6	6	6	5	4	5	5	5	5	6	6	7	7
GS/OL	189	196	204	107	122	135	154	160	170	168	175	180	181	189	193	194
SS	71	84	84	60	69	71	71	68	71	70	80	77	80	80	80	80
Subtotal	**267**	**288**	**296**	**173**	**197**	**212**	**230**	**232**	**246**	**243**	**260**	**262**	**267**	**275**	**280**	**281**
Vacancy rate (percentage)					26.2	20.6	13.9	13.1	7.9	9.0	9.7	9.0	7.3	4.5	5.4	5.1
Total	**519**	**624**	**646[a]**	**333**	**363**	**384**	**404**	**410**	**428**	**437**	**465**	**496**	**522**	**547**	**571**	**592**
Vacancy rate (percentage)					30.1	26.0	22.2	21.0	17.5	15.8	25.5	20.5	16.3	12.3	11.6	8.4
2. The Chambers																
USG	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
ASG	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
D–2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
D–1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
P–5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
P–4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
P–3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
P–2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

	Authorized staffing Jan.–June	Authorized staffing July–Oct.	Authorized staffing Nov.–Dec.	31 Dec. 1997	Actual staff on board									Forecast		
					Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Vacancy rate (average)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
GS/PL	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
GS/OL	8	8	10	6	8	8	8	8	8	8	8	8	8	8	10	10
SS	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	**8**	**8**	**10**	**6**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**10**	**10**
Vacancy rate (average)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total, civilian personnel	**8**	**8**	**10**	**6**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**8**	**10**	**10**
Vacancy rate, percentage actual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
3. Office of the Prosecutor																
USG	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
ASG	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
D–2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
D–1	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1
P–5	13	13	16	9	8	8	8	9	9	9	9	10	11	11	11	11
P–4	38	45	50	29	33	34	35	35	34	34	34	35	35	37	38	38
P–3	49	70	70	39	40	40	40	40	43	48	51	53	59	60	64	66
P–2	51	61	64	19	19	18	18	18	20	20	24	35	40	48	56	63
Subtotal	**155**	**193**	**204**	**99**	**103**	**103**	**104**	**105**	**109**	**114**	**121**	**136**	**148**	**159**	**172**	**181**
Vacancy rate, percentage average					33.5	33.5	32.9	32.3	29.7	26.5	37.3	29.5	23.3	17.6	15.7	11.3
GS/PL	1	1	1	1	—	—	—	—	—	—	—	—	1	—	—	—
GS/OL	94	94	100	47	53	57	71	74	79	79	83	86	85	91	93	94
SS	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	**95**	**95**	**101**	**48**	**53**	**57**	**71**	**74**	**79**	**79**	**83**	**86**	**86**	**91**	**93**	**94**
Vacancy rate, percentage average					44.2	40.0	25.3	22.1	16.8	16.8	12.6	9.5	9.5	4.2	7.9	6.9
Total	**250**	**288**	**305[a]**	**147**	**156**	**160**	**175**	**179**	**188**	**193**	**204**	**222**	**234**	**250**	**265**	**275**
Vacancy rate, percentage actual					37.6	36.0	30.0	28.4	24.8	22.8	29.2	22.9	18.8	13.2	13.1	9.8

	Authorized staffing Jan–June	Authorized staffing July–Oct	Authorized staffing Nov–Dec	31 Dec 1997	Actual staff on board									Forecast		
					Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
4. The Registry																
USG	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
ASG	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
D–2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
D–1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
P–5	9	9	9	3	9	9	9	9	9	9	9	8	9	9	9	9
P–4	26	36	36	17	14	17	18	18	18	19	19	22	23	24	27	30
P–3	36	48	48	26	24	24	24	26	26	27	28	30	37	35	36	38
P–2	23	47	50	12	13	16	16	17	17	22	25	35	35	42	44	50
Subtotal	**97**	**143**	**146**	**61**	**63**	**69**	**70**	**73**	**73**	**80**	**84**	**98**	**107**	**113**	**119**	**130**
Vacancy rate (percentage)					35.1	28.9	27.8	24.7	24.7	17.5	41.3	31.5	25.2	21.0	18.5	11.0
GS/PL	6	7	7	5	6	6	5	4	5	5	5	5	5	6	7	7
GS/OL	87	94	94	54	61	70	75	78	83	81	84	86	88	90	90	90
SS	71	84	84	60	69	71	71	68	71	70	80	77	80	80	80	80
Subtotal	**164**	**185**	**185**	**119**	**136**	**147**	**151**	**150**	**159**	**156**	**169**	**168**	**173**	**176**	**177**	**177**
Vacancy rate (percentage)					17.1	10.4	7.9	8.5	3.0	4.9	8.6	9.2	6.5	4.9	4.3	4.3
Total	**261**	**328**	**331***	**180**	**199**	**216**	**221**	**223**	**232**	**236**	**253**	**266**	**280**	**289**	**296**	**307**
Vacancy rate, percentage actual					23.8	17.2	15.3	14.6	11.1	9.6	22.9	18.9	14.6	11.9	10.6	7.3

* Gratis personnel posts authorized from 1 July 1998 onward only. Kosovo/Trial Chamber 3, posts authorized for 1 July–1 November.

Annex IV

Proposed travel budget for the International Tribunal for the Former Yugoslavia for 1999

	$
Chambers	
President's travel to United Nations Headquarters: ACABQ deliberations visit ($5,000) General Assembly ($5,000) Accompanying officer for each of above ($7,500) 10 visits within European nations ($15,000) Accompanying officer for each of above ($6,000)	38 500
Judges' visits to the region of the former Yugoslavia: 14 judges for 8 days DSA ($150 per day) airfare ($600 each) and other ($100 each)	26 700
Subtotal	**65 200**
Office of the Prosecutor	
Travel for investigations 576 missions, 2 persons per mission for 10 days for $1,680 per trip per person ($600 airfare, 10 days' DSA at $95, and $130 for other expenditures)	1 935 400
Travel for prosecutions 150 missions, one person per mission for four days for $1,110 per trip ($600 airfare, four days' DSA at $96, and $130 for other expenditures)	166 500
Other travel Prosecutor and Deputy Prosecutor to visit former Yugoslavia, cooperating nations, Headquarters ($57,600) Indictment reviews: two attorneys to visit Rwanda Tribunal in Kigali ($28,800)	86 400
Subtotal	**2 188 300**
Registry **Official travel**	
Office of the Registrar: Registrar, one visit to Headquarters for ACABQ meetings ($5,000). Legal Officer: two visits to Headquarters ($6,000)	11 000
Deputy Registrar: discussions with European Governments and judicial bodies on judicial policy and enforcement of sentences. Twelve visits within Europe	14 400
Security Section: visit to each field office for security briefings	2 000
Press and Information Unit: Two visits to Headquarters for liaison and discussions on joint public information matters, 12 visits to European capitals for information briefings	20 000
Victims and Witnesses Section: field operations to escort witnesses travelling to the court; 230 missions within Europe, 194 for five days per visit ($1,200 each), 36 with no overnight stay ($600 each)	297 600
Victims and Witnesses Section: conferences/meetings with Governments/ NGOs. Nine visits in Europe, three outside Europe	19 800
Administrative Services. Chief Administrative Officer; one visit to Headquarters for ACABQ ($3,000), two to field offices ($2,000), one to Rwanda Tribunal ($10,000). Budget Officer, one visit to Headquarters for ACABQ ($3,000). Administrative Officer, two visits to field offices ($2,000)	20 000
Human Resources Section: two visits to field offices for language testing	2 700
General Services: liaison visit to each field office	2 000

	$
Electronic Support Services: four visits to field offices for communications update/maintenance, four for EDP updates/maintenance ($9,600)	9 600
Conference and Language Support Section. Liaison with other United Nations bodies on joint language issues (two visits x $1,500). Liaison visit to Rwanda Tribunal ($10,000)	13 000
Judicial Support/Victims and Witnesses/Electronic Support: Videolink remote witness testimony; two events for four officials for 10 days, non-Europe	30 000
Total	**442 100**
Travel of victims and witnesses	
Travel of witnesses ($1,884,100): 830 witnesses for 8 days for $2,270 per person ($1,000 for airfare, $30 for travel document, accommodation for $90 per day, meals $30 per day, $25 witness allowance per day)	
Travel of support person for 20% of the cases; 166 support persons at the same cost as witnesses above ($376,800)	
Reimbursement of help for dependent children or adults ($96,200); care of 41 child dependants ($1,500 each) and 42 adult dependants ($2,290)	
Accommodation for witness assistants ($133,200); 1,480 days total for witnesses for three courtrooms	
Communications costs for emergency for witness assistants ($5,900)	2 496 200
Total Registry	**2 938 300**

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/53/652
S/1998/1050
10 November 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda items 39 and 40
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-third year

Report of the Secretary-General

1. The present report is submitted in accordance with General Assembly resolution 52/52 of 9 December 1997 on the peaceful settlement of the question of Palestine.

2. On 25 August 1998, the Secretary-General, pursuant to the request contained in paragraph 9 of the above-mentioned resolution, addressed the following letter to the President of the Security Council:

> "I have the honour to refer to resolution 52/52, which the General Assembly adopted on 9 December 1997, at its fifty-second session, under the agenda item 'Question of Palestine'.
>
> "In paragraph 9 of the resolution, the General Assembly 'requests the Secretary-General to continue his efforts with the parties concerned and, in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter'.
>
> "In order to fulfil my reporting responsibilities under this resolution, I should be grateful if you would kindly convey to me the views of the Security Council by 30 September 1998."

3. On 22 September 1998, the following reply was received from the Security Council:

> "The Security Council remains gravely concerned about developments in the occupied territories and the region.
>
> "Recalling the statement by the President of the Council of 13 July 1998 (S/PRST/1998/21), the Security Council continues to be determined to keep developments under review, and to provide the needed

backing to the Middle East peace process, giving full support to the agreements achieved as well as to the timely implementation of those agreements.

"The Council calls upon the concerned parties to pursue the negotiations and to fulfil their obligations under the agreements achieved, so that progress can be made towards a just, lasting and comprehensive peace based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973."

4. In a note verbale dated 31 August 1998 to the parties concerned, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestine Liberation Organization, regarding any steps taken by them to implement the relevant provisions of the resolution. As of 30 October 1998, the following reply had been received:

Note verbale dated 9 October 1998 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

"General Assembly resolution 52/52 is the main political resolution on the Palestinian issue, and it was adopted by an overwhelming majority (155-2-3), a reflection of the strong convictions of the international community with regard to the content of the resolution. As stated in the note verbale dated 13 October 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (see A/52/581-S/1997/866, para. 4), the resolution recalls several principles of international law and the Charter of the United Nations, provides support for the peace process and implementation of the agreements reached and also provides the basis for the just settlement of the question of Palestine, the core of the Arab-Israeli conflict. The resolution emphasizes as well the importance of a more active and expanded role for the United Nations in this process. As such, the resolution should serve as an acceptable basis for all parties to work on these important issues.

"In operative paragraph 2 of resolution 52/52, the General Assembly once again 'expresses its full support for the ongoing peace process, which began in Madrid, and the Declaration of Principles on Interim Self-Government Arrangements of 1993, as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip of 1995, and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the Middle East'. In operative paragraph 3, the Assembly 'stresses the necessity for commitment to the principle of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973), which form the basis of the Middle East peace process, and the need for the immediate and scrupulous implementation of the agreements reached between the parties, including the redeployment of the Israeli forces from the West Bank and the commencement of the negotiations on the final settlement.'

"Since the adoption of resolution 52/52, the deadlock in the Middle East peace process has continued. No progress has been made with regard to the implementation of the agreements reached; the situation on the ground, including the economic and living conditions of the Palestinian people, has continued to deteriorate; and tension has increased in the region as a whole, all as a result of the policies and practices of the Israeli Government. It is noteworthy that several letters of complaint regarding those policies and practices were sent by the Permanent Observer of Palestine to the United Nations during the past year to the Secretary-General, the President of Security Council and the President of the General Assembly.

"In fact, the Israeli Government, since taking office, has adopted guidelines contradicting the letter and spirit of the agreements reached, made it clear that the timetable agreed upon would not be respected, resumed colonial settlement activities in the occupied territory and opened a tunnel in the vicinity of Al-Aqsa Mosque in Occupied East Jerusalem. The Israeli Government did not close that tunnel, in flagrant violation of Security Council resolution 1073 (1996) of 28 September 1996, and has continued with, and even intensified, its colonial settlement activities, including the building of a new settlement in Jabal Abu Ghneim to the south of Occupied East Jerusalem, and attempted to build a settlement in Ras al-Amud. From the above, it is clear that the Government has continued its drive to Judaize Jerusalem and to change its status and demographic composition. In this regard, the Israeli Government recently announced the creation of an 'umbrella municipality' which would expand the borders of Jerusalem and extend the administrative powers of the illegal municipality over nearby towns in Israel, as well as over some Jewish settlements in the occupied West Bank.

"In the eighth preambular paragraph of resolution 52/52, the General Assembly affirmed 'the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem'. Furthermore, the Assembly, in operative paragraphs 5 and 6 of the same resolution, stressed the need for 'the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination', and 'the withdrawal of Israel from the Palestinian territory occupied since 1967', and also stressed the need for 'resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948'.

"The Palestinian side believes that the eighth preambular paragraph and operative paragraphs 5 and 6 of General Assembly resolution 52/52 are of great importance, as they reflect established positions of the international community consistent with international law. The Palestinian side believes that the international community, represented by the Assembly, should always uphold the principles of the Charter of the United Nations, international law, international humanitarian law and the validity of Security Council resolutions. As such, the Assembly has to uphold its positions related to the inalienable rights of the Palestinian people, and it should maintain its positions related to the elements of the final settlement (final status issues), including Jerusalem, settlements and

refugees. It should be affirmed that illegal Israeli actions in these fields and their results remain illegal regardless of the passage of time.

"Operative paragraph 8 of the same resolution, 'emphasizes the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles'. The Palestinian side welcomes the progress made in this regard, especially in the fields of providing economic, social and other assistance to the Palestinian people. It welcomes in particular the work of the United Nations Special Coordinator in the Occupied Territories in the field of coordinating United Nations, as well as international, assistance to the Palestinian people. It welcomes as well the work done by the Commissioner-General and the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), including the work of UNRWA's headquarters in Gaza City. It affirms the significance of UNRWA in other fields of operation outside of the Occupied Palestinian Territory as well as the continuation of all field offices, including the field office in Jerusalem.

"The Palestinian side hopes that the United Nations will contribute to the efforts being undertaken to salvage the peace process and to bring it back on track. The involvement of the Security Council would also be a very important factor in the interest of the peace process. Indeed, the Council has contributed to the salvaging of the peace process by responding to some serious events in the Occupied Palestinian Territory, including Jerusalem, by adopting resolution 1073 (1996) of 28 September 1996 and before that by adopting resolution 904 (1994) of 18 March 1994 on the Al-Khalil (Hebron) massacre in the Al-Ibrahimi Mosque. After the adoption of General Assembly resolution 52/52, on 30 June 1998, the President of the Council made a statement on behalf of the Council (S/PRST/1998/21) on the situation in the occupied Arab territories.

"It is to be recalled that, unfortunately, the Council was twice prevented from playing the same positive role and from discharging its responsibilities for the maintenance of peace and security, as a result of the two vetoes exercised by the United States of America on 7 and 21 March 1997 on two draft resolutions dealing with the illegal Israeli settlement in Jabal Abu Ghneim. The two vetoes led to the convening of the tenth emergency special session of the General Assembly to discuss illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. The emergency special session produced extremely important resolutions, including Assembly resolution ES-10/5 of 17 March 1998, which will be subject to further serious follow-up by the session, including by the convening of a conference of the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and the rest of the Arab territories occupied since 1967.

"The Palestinian side reiterates the expression of its appreciation to the Secretary-General for his substantial and accurate report presented pursuant to General Assembly resolution ES-10/2 of 25 April 1997 and, as it

has done in previous years, would like to underscore the request made by the Assembly in resolution 52/52 for the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in that regard. It is worth noting that during the past year, the Secretary-General visited the Occupied Palestinian Territory and the region, where he had a first-hand opportunity to experience the extremely difficult conditions of the Palestinian people.

"Finally, the Palestinian side believes that for the peaceful settlement of the question of Palestine to be achieved through the current Middle East peace process, it is necessary to respect the mutual recognition between the two sides and the basis upon which the process was initiated, namely, the principle of the return of land for peace and the implementation of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973. It is equally important for the parties to comply with the agreements reached and to implement those agreements in good faith and without delay. Furthermore, all actions that violate international law, relevant Security Council resolutions and those agreements must cease completely. The international community, especially the co-sponsors of the peace process, has a great responsibility in this regard.

"It should also be recalled that under the same agenda item, Question of Palestine, the General Assembly, at its fifty-second session, adopted resolution 52/250 of 7 July 1998, entitled 'Participation of Palestine in the work of the United Nations'. In this regard, the legal, political and practical significance of that resolution is emphasized."

OBSERVATIONS

5. The signing of the Wye River memorandum by the Government of Israel and the Palestinian Liberation Organization is a promising development. This agreement complements and adds details to the accords that the parties concluded in the past and, more importantly, paves the way to permanent status negotiations. I would like to take this opportunity to commend the dedication, courage and tireless efforts of all participants in the Wye Plantation meetings.

6. It is to be hoped that the Wye agreement will bring to an end the delays and unilateral actions that have hampered progress in the Middle East peace process for far too long. The primary obligations of the Palestinians and Israelis are clear: respectively, to take all legal measures to combat violence and terrorism, and to carry out, on time, further redeployments in the West Bank as laid down in the agreement. It is imperative that the good will demonstrated at Wye Plantation be translated into scrupulous implementation of the commitments made by both sides, thereby rebuilding confidence and raising new hope for peace, stability and security for all in the region.

7. That the Wye agreement offers economic opportunities for the Palestinian people is also to be welcomed. Such opportunities are essential if peace in the Middle East is to prosper. The United Nations system will continue to support

progress in the Israeli-Palestinian talks and to provide economic, social and other assistance to the occupied territories.

8. It is to be hoped that advances in the Israeli-Palestinian negotiations will create favourable momentum for the resumption of the Israel-Syrian Arab Republic and Israel-Lebanon talks. This will be essential for the settlement of the Arab-Israeli conflict on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) of 19 March 1978.